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ESSEX COUNTY LOCAL
GOVERNMENT RESTRUCTURING
STUDY

PETER SILCOX, M.A., Ph.D.
COMMISSIONER

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JUNE 1976

ESSEX COUNTY LOCAL GOVERNMENT RESTRUCTURING STUDY

Commissioner: Peter Silcox, M.A., PhD.

Research Assistant: John Jackson, B.A.

June 29th, 1976.

Mr. C. Tofflemire,
Warden of the County of Essex.

Mr. A. H. Weeks,
Mayor of the City of Windsor.

Mr. Z. Hooper,
Reeve of the Township of Pelee.

Honourable W. D. McKeough,
Treasurer of Ontario and Minister
of Economics & Intergovernmental Affairs.

Gentlemen:

I am pleased to present you with the final report of the Essex County Local Government Restructuring Study. With release of this document, I have fulfilled the requirements of my role as Commissioner of the Study.

Yours faithfully,

Peter Silcox

PS/ms

Peter Silcox,
Commissioner.

ACKNOWLEDGEMENTS

During the course of the study, I have received a great deal of assistance from public officials and residents of Essex County, provincial public servants and members of the Study staff. I would like to express my thanks for their help.

Mr. John A. Jackson has worked with me in all phases of the Study and has been a constant source of advice and assistance. Mrs. Barbara Cunningham and Mr. Daniel Revington assisted greatly in the collection of data for the research reports.

Mrs. Pamela Johnston, Mrs. Colleen Peters and Mrs. Kathy M'Closkey typed and proof-read the research reports with speed and accuracy. Mrs. Myrna Shantz has been secretary for the Study for the past year and has typed the final report. She has been a constant source of help and encouragement.

Mr. Roger Warner of the Restructuring Policy Section, Ministry of Treasury, Economics and Intergovernmental Affairs has been provincial liaison officer to the Study throughout its course. He has given me an enormous amount of help particularly in obtaining information from provincial ministries and agencies.

Finally, I would like to thank the officials of the County, City, the Township and County municipalities who answered our many inquiries and provided information and assistance.

I am, of course, solely responsible for the recommendations contained in the Report.

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CHAPTER I

INTRODUCTION

The Essex County Local Government Restructuring Study was established as part of the Province of Ontario's County Restructuring Studies Program. The origins of this Program are to be found in a speech made by the Honourable John White, Minister of Treasury, Economics and Intergovernmental Affairs, to the Annual Meeting of the Association of Counties and Regions of Ontario, in October, 1973. The Minister proposed the creation of a Program for the study of local government organization in those counties of the province which had not been restructured. The studies were conceived as a prelude to negotiations between the Ministry of Treasury, Economics and Intergovernmental Affairs and local governments over the future of local government structures in the counties concerned. The Minister's proposals were discussed with representatives of the Association and with the Provincial-Municipal Liaison Committee. The outcome of these discussions was the publication by the Ministry of Treasury, Economics and Intergovernmental Affairs of Guidelines for the County Restructuring Studies Program in February, 1974.

The County Restructuring Studies Program (CRSP) is a permissive program. A County Restructuring Study is launched only where a County and the separated municipalities within it agree on the desirability of undertaking a Study. When this local initiative has been taken, the County Council and councils of separated municipalities are jointly responsible with the Ministry

of Treasury, Economics and Intergovernmental Affairs for the selection of an independent Commissioner and the approval of the plan for the conduct of the Study. Studies are financed jointly by the Ministry and the participating municipalities, with the limit of the provincial contribution set at \$50,000 and thus with a limit of \$100,000 on the total budget for each Study. The terms of reference for each Study are the subject of negotiations between the parties but the Guidelines make it clear that the intent is to promote a comprehensive study of local government in each County. The Minister made this clear in his initial speech when he said

"Everybody should understand what is expected when a county undertakes a study and everybody should be able to use objective criteria to judge whether a county has been truly restructured or simply tinkered with."

On the other hand, the Guidelines make it clear that none of the bodies financing the Study are in any way committed to taking action on the recommendations made by the Commissioner in the final report.

In the past the Province has given financial assistance and made provision for the transfer of additional powers to municipalities which have been restructured. The Guidelines for the County Restructuring Studies Program made it clear that, while there might be differences in the local government structures in restructured areas, provincial policy on the necessary conditions for qualification for the special financial assistance and for transfer of additional powers had not changed. The Minister stated:

"We are confident that such a study would do much

to identify and define the particular organizational and structural requirements of a given area. In addition, there are certain general requirements that would have to be met for a county to qualify as a restructured county for grant purposes and to qualify for the additional powers being given to regional governments.

In order to qualify for those grants now paid to the regions, restructured counties should probably be required to provide at least seven services. These are:

- Supplying water to the inhabitants of the county
- Collecting and treating sewage
- Operating an arterial system of roads
- Carrying out the planning function, including preparing, developing and implementing planning concepts for the county
- Providing health services within the county
- Maintaining a welfare program for the county and
- Capital borrowing

In addition to these seven functions, there is the question of police protection. As with the regions, an additional grant would be provided to a county operating its own police force."

In the light of this reaffirmation of provincial policy, each Commissioner responsible for recommending structural changes in the local government of a county is faced with three options. Since the Minister's statement and the program guidelines use the words "probably be required" rather than the words "will be required", the Commissioner may make a reasoned case why one or more of these services should in the particular circumstances of the county concerned not be assigned to the restructured county and at the same time argue that the additional grants and powers should be available to the reformed county. Instead of doing this, he may recommend a structure of government which clearly deviates from the model implied in the Minister's statement in the belief that the additional grants and powers are substantially less significant than other factors. He must then argue that it is

in the interest of the county to forego these rather than adopt a scheme in conformity with them which would be inappropriate for the county concerned. Finally the Commissioner may wish to argue that the whole basis on which additional grants and powers are given is inappropriate and propose some other basis on which grants should be made and powers devolved. However, one must recognize that such recommendations are unlikely to have great impact. The only other alternative course is to ignore the realities of existing provincial policies altogether in making recommendations; in my view such a course would be irresponsible.

THE COUNTY RESTRUCTURING STUDIES PROGRAM AND ESSEX COUNTY

The origins of the County Restructuring Study in Essex County predate the announcement of the provincial program. Both the Essex County Council and the Windsor City Council were aware of the Province's efforts to restructure local governments during the nineteen sixties and early seventies and believed that they would eventually be affected by these. They were concerned to ensure that there would be substantial local consultation and discussion before any attempt was made to restructure local government in the area. The County and City were cooperating to achieve this aim and had made approaches to the Ministry of Treasury, Economics and Intergovernmental Affairs concerning a local study prior to the announcement of the County Restructuring Studies Program.

With the announcement of the new program, a joint County

and City Committee contacted the Ministry with reference to participation in it. In March, 1974, I was invited to meet with this Committee. I met with the joint County and City Committee in Windsor on April 19th, 1974. At that meeting, the joint Committee decided to propose my appointment as Commissioner to direct a County Restructuring Study in Essex County. The Essex County Council approved my appointment, subject to the negotiation of an acceptable agreement between the County, City, Province and myself, on May 8th and the Windsor City Council followed suit on May 12th. The Minister approved my appointment shortly afterwards. An Agreement setting out the terms of my appointment and the terms of reference of the Study (See Appendix #1) was negotiated and approved by all parties in May, 1974. The Township of Pelee, a separated township in Essex County, indicated its desire to participate in the Essex County Restructuring Study in June, 1974; the Agreement was amended to add the Township to the list of participating municipalities.

The conclusion of the Study Agreement did not commit the County, City and Province or myself to the conduct of a Restructuring Study. It authorized the expenditure of up to \$5,000 for the preparation of a Study Prospectus only. This Study Prospectus was to outline the procedure for the conduct of the study, and was to include a proposed budget, a list of staff required, a schedule of hearings, details of the publications to be produced, a firm completion date and other information concerning the Study. Once the Study Prospectus was approved any variation in the Study program would require the approval of all parties to the Study Agreement.

I completed the Study Prospectus on June 26th, 1974. It was approved without amendment by Windsor City Council on July 2nd, by the Pelee Township Council on July 8th, by Essex County Council on July 10th and by the Minister of Treasury, Economics and Intergovernmental Affairs on July 17th, 1974.

During the conduct of the Study neither I nor the parties to the Study Agreement have found it necessary to request any amendments to the approved Study Prospectus.

THE CONDUCT OF THE STUDY

The Study Agreement specified that a local office accessible to the public should be maintained in the City for the first half of the study period and in the County for the second half. The Study Office was located in Suite 307, 586 Ouellette Avenue in the City of Windsor until September, 1975. With the opening of the Essex County Civic and Education Centre in the Town of Essex, I rented office space in that building from October, 1975 until the conclusion of the Study.

Information Bulletin #1, a four page newsprint publication, was issued in August, 1974. This gave details of the Study's terms of reference and of the study program, described the origins of the Study and solicited public participation. Two thousand copies were distributed within the County.

The first stage of the Study involved the collection, collation and analysis of material on Essex County and its local governments. This work was undertaken by the Commissioner, working on a part-time basis, with the assistance of a full-time

research assistant and two temporary assistants who worked for limited periods. Five substantial research reports (see Appendix #2) summarizing the material collected were published between April and August 1975. Five hundred copies of each of these reports were distributed to local government agencies, the media and interested citizens in Essex County. Information Bulletin #2, which summarized some of the most significant research findings, was published in August, 1975. Two thousand copies of this four page newsprint publication were distributed in the County.

In the first year of the Study, I addressed a number of local councils and organizations at their invitation. As the preliminary research stage of the Study came to an end in 1975, I moved with my family from Toronto to the Town of Essex and began to work fulltime on the Study. The second stage of the Study was concerned with the stimulation and collection of suggestions and opinions on the present state and future prospects of local government within the area. I began this stage in July, 1975 by starting a round of visits to each municipality and meeting with each of the twenty-three municipal councils within the area. In August 1975, a Call for Briefs was published. This set out a series of issues and questions relevant to the Study and listed some alternative structures of local government for the area. This publication also included a schedule of public hearings and meetings and invited the public to attend and make submissions to the Commissioner. In accordance with the schedule set out in the Study Prospectus, public hearings and meetings were held in ten locations in the County, City and Township of Pelee between October 1st and December 8th 1975. A total of 21 days were devoted

to public hearings and eleven public meetings were held. Each hearing and meeting was advertised in community newspapers and through handbills. During the autumn and winter, I solicited invitations from local organizations and, as a result, addressed a large number of local service clubs and groups. In October 1975, the Study cooperated with the Department of Political Science at the University of Windsor in sponsoring a weekend conference on the "Future of Local Government in Essex County". In the course of the Restructuring Study, I have addressed in excess of 110 meetings on its work. Throughout the autumn and winter months, except when the mail strike intervened, I wrote a number of short factual articles on matters which the public discussions had shown were of particular public interest. These were distributed to local newspapers and radio stations and were reprinted or used as the basis for broadcasts on occasion. Throughout the Study, the local news media have given extensive coverage to publications, hearings and meetings. The Windsor Star, in particular, has regularly reported on the progress of the Study. I would like to record my appreciation of the efforts of these organizations to inform the public and to acknowledge my satisfaction with the accuracy of the overwhelming majority of these reports.

During the public hearings and public meetings, new questions were raised and some interesting suggestions made. These stimulated further research during the winter months. The third stage of the Study was concerned with completing this research and with developing and refining proposals to be included in the final report. I began work on the final report in March

1976 so that it could be completed by July 1st, 1976, the completion date set in the original Study Agreement.

PUBLIC PARTICIPATION IN THE STUDY

In the course of the Study, I have made continued requests for local discussion of the existing local government structure and of what would be the best arrangements for the future. I also pointed out in the original Study Prospectus that, with the limited resources available to the Study, the task of stimulating local debate on restructuring would require the participation of local groups. I wrote:

"The Commissioner is concerned to encourage municipalities and organizations within the Study area to organize their own discussion of restructuring. The Commissioner will be assisted by one research assistant; it would be unrealistic to assume that such a limited staff could organize all of the discussion that this complex subject requires."

Essex County Restructuring Study Prospectus
(1974) p. 9

A considerable number of people representing organizations and on their own behalf have accepted my invitation to make suggestions and express opinions. I am grateful to those who have contributed to the Study in this way. There has also been a considerable demand for the publications produced by the Study. While I was aware of the difficulties of obtaining public participation in the initial stages of public debate of local government reform, and realize that other Restructuring Commissioners have shared these difficulties, it has been a source of considerable disappointment to me that more constructive public participation was not forthcoming. Even many of those who responded to

my invitation to submit briefs or otherwise present their views seemed reluctant to examine in detail any wide range of options or to go beyond an examination of more than one or two issues or elements of the local government system. I have been forced to turn my mind to the question of why input has been relatively limited. I realize that any analysis of this question is bound to be speculative, but not entirely so since my work and residence in Essex County has meant that I have been in constant contact with local opinion. I have come to the conclusion that the analysis is likely to reveal something of the state of local government in the area.

The most facile explanation of why local input into the Study has been limited, is to attribute it to lack of knowledge on the part of the general public - that the Study is in progress, what its purpose is, or how the Commissioner should be approached to express one's views. This Study has been in progress for two years and its activities have been regularly reported in the Windsor press, the local community newspapers, on radio and T.V. Anyone with even a limited interest in local public affairs who takes the Windsor Star (and how can one not take the only local daily newspaper if one claims such an interest) cannot have failed to read highly informative reports of the Study. In addition to this coverage, the Study has itself published a great deal of material and been represented at numerous gatherings. In my year of residence in Essex County, I have found that all kinds of people I have met in the normal course of my domestic life have recognised me and seemed aware of the nature of my work. I have

received informal unsolicited comments on local government from bus drivers and shop assistants. In consequence, I find it difficult to believe that anyone sufficiently interested in local government to consider making suggestions or drawing up a brief would find any difficulty in communicating with me.

The limited public participation in the Study is, of course, in part a reflection of the limited public involvement in local government in the area. I have examined and commented on the level and nature of this at length in the report.

The absence of specific reform proposals, with a calculable impact on individuals and groups, as the basis for discussion, has inhibited some people. This is an inherent difficulty when conducting a study such as this one. The whole purpose of the Essex County Restructuring Study is to allow for the maximum amount of research and public input before any specific proposals for reform are developed. It is important to understand that once specific proposals are advanced and the political decision-making begins, the discussion is inevitably largely restricted to commentary on these proposals. One of the constant criticisms of attempts to encourage public participation in decision-making in Canada has been that the focus for decision-making has usually been restricted by the formulation of specific proposals before the opinion of ordinary citizens and community groups has been canvassed. This seems to me to be a very legitimate complaint. There is a strong case for political involvement in the earliest stages of defining and formulating specific proposals in addition to public involvement in a later stage. The final report of the Study is only one step in the consideration of local government restructuring;

it is reasonable to expect heightened public interest and participation once the political decision-making process begins.

There was clearly considerable reluctance on the part of many elected local representatives to make very specific proposals on the future shape of local government at this early stage in the discussion of changes. To commit oneself now may limit one's options in the future. It is not customary for elected people in the Canadian political system to take firm stands on disputed questions when little public pressure is exerted. Many local politicians undoubtedly wished to reserve their public statements until more factual material was available and they could gauge the reaction of the local electorate to specific proposals. In addition, many of those involved in local government activities are very much bound up in the day-to-day work of one part of the system. In consequence, they have limited knowledge of, or interest in, many of the questions raised in a general review and feel ill at ease in attempting to comment on the future development and operation of the system in general.

One important factor inhibiting public involvement, which I have detected in meetings, has been the suspicion with which many people regarded the motives of the provincial authorities in supporting the Restructuring Study. Despite the fact that the Study was initiated by the County and City Councils, who also selected the Commissioner, and that the Premier and successive Ministers of Treasury, Economics and Intergovernmental Affairs have affirmed that implementation would only be undertaken with local approval, many people expressed the view that the Study was simply a prelude to provincial government action. Their view was

that the provincial government had not been open and frank with them in the past and that provincial policies were likely to be applied whatever I as an independent Commissioner recommended or reported regarding local opinion. The instance of the implementation of the restructuring programme in Education was constantly referred to. Many people expressed the view that there had been inadequate local consultation prior to these changes. The situation changed following the provincial election in September 1975 and with the publication of the Report of the Special Program Review in November 1975. Many of those who are informed on political matters, believing that there is little pressure for reform locally, came to the conclusion that little would be done with the Study's recommendations. They also felt that participation in the discussion process might add force to the Study's recommendations.

Another factor which affected the nature and intensity of public participation is the strength in the area of those parties which form the opposition to the provincial government. The political allegiance of the majority of the population of the area to the opposition political parties undoubtedly influences their perception of the local government reform program undertaken by the present provincial government. The opposition to local government reform, particularly by the Liberal Party, has been a feature of the political life of the province throughout the term of the Study. I am neither surprised nor alarmed by this; obviously a question as important as that of the structure of local government is bound to be an issue of political and partisan controversy. Nevertheless, I believe that on occasion partisan positions had

the effect of predisposing people to take a position on local government reform, and the appropriateness of a restructuring study, before they made any attempt to deal with the realities of local government in Essex County. For the purpose of this Study, I had to accept that the nature of partisan controversy on this issue would result in people taking this position and that the depth and intensity of discussion of specifically local matters would be correspondingly reduced.

I would like to take this opportunity to make some general comments on two aspects of the public discussion of restructuring which did occur. I was struck by the fact that all but a handful of those who offered opinions on restructuring tended to regard local governments as a separate entity from the other levels of government. There was little understanding of the extent to which all government programmes must be interrelated if the general public interest is to be served and needless duplication is to be avoided. The British North America Act gives the authority over municipalities to the provincial legislatures and thus through them to the provincial governments. As a result, the provincial governments have a clear responsibility for the overall performance of municipal bodies. Provincial governments must delimit the role of municipal governments and, as long as any emphasis is to be placed on governing the provincial community as one entity, insist on certain minimum standards of service and treatment of citizens across the province. The provincial government is held directly responsible for the performance of these functions by all citizens of the province. Municipal politicians often talk as if the province had no such responsibility. However, in recognizing the province's general mandate, one must also see that a

municipality does have some freedom of manoeuvre within the guidelines established by the province. The ability to use and extend this freedom largely depends on the ability of the municipal council to take and support well-reasoned positions and its capacity to mobilize the local electorate. All too often I found municipal politicians and officials denying that the province should have substantial influence over local matters then throwing up their hands and saying that they had no power to affect provincial policies anyway. This latter position is of course an abdication of responsibility. It results from failing to recognize that, while the power of local governments is circumscribed, a local government which can argue an effective case and show local support for it often can bring about adjustments in provincial policy and can broaden the areas in which local input is significant.

Much of the complaint about provincial dictation to local government includes attacks on the role of experts. In fact, I listened to many comments concerning the "expert". Often this was mixed with the expression of a concern that "bureaucrats" were exercising too much influence in decision-making affecting local government. The terms 'expert' and 'bureaucrat' were used interchangeably, without any precision, and often in pejorative terms. I was struck by the lack of thought which had been given to the relationship between the elected representatives and specialist staff. Outside of the City of Windsor where this kind of comment was much less common, very few elected representatives had in fact much experience in working with specialist staff on a regular basis. The vast majority of municipal councillors have no experience in their personal and business lives of working

in close relationship with a specialist staff. As municipal councillors, their contact has been limited to irregular contacts with Ministry personnel and planning and engineering consultants. Very few people argued that there is no role for specialist staff in planning and providing local services; however, there was a pervasive fear that, if local government institutions were created which led to the employment of specialist staff, local control over the operations of local institutions would be lost.

Much of this attitude seemed to be a hankering for a period when life was simpler and the issues facing local government were less complex. It may well be that a major issue facing local government is the need to attract new people or teach existing local representatives how to use expert staff in making decisions without abdicating responsibility to them. One must also recognize, of course, that one of the easiest methods open to local councillors for evading responsibility for public policies which turn out to be unpopular is to shuffle it off on to expert staff. The most important requirement of the successful local councillor is to learn to use expert and specialist assistance in making policy decisions while reserving the final power to decide for elected bodies. This involves the ability to recognize a distinction between policy and non-policy matters. No one can pretend that this is an easy matter but it is foolish and ultimately self-defeating to run away from it.

THE ROLE OF THE COMMISSIONER AND THE STUDY REPORT

In the course of the Study, a number of people raised the question of the relationship of local proposals and suggestions to the contents of the final report. Some people seemed to feel that the final report should be based on an attempt to determine the majority opinion on local government structure and reflect this in the final recommendations. One well organized group from one municipality believed that they expressed the majority view in their municipality (it was for preservation of the status quo), and that I had no business to recommend anything other than that for their municipality. Other people, recognizing that there was a range of opinion on the desirability and nature of change, felt that the role of the Commissioner was essentially that of a mediator. Thus it became my task to come up with a set of recommendations which would maximize the amount of support and minimize local opposition for the changes proposed. None of the people who made the type of suggestions described above paid much attention to the role of the provincial authorities. No account was taken by them of the provincial responsibility for the form and performance of local government structures. Their view seemed to imply that local government structures were a matter for the local population and more particularly for elected local representatives to determine.

The purpose of encouraging public input into the work of the Study was not to enable me to make some estimate of public opinion for the various types of possible local government systems. I am not a public opinion pollster and clearly I would not have been engaged as Commissioner and obtained approval of my Study

Prospectus if this has been the purpose of the Study. Public input was valuable to me in a variety of ways. It enabled me to understand the existing structure and assess its performance. It provided practical suggestions for what changes might be appropriate and how they might be accomplished. Finally, it gave me some of the evidence I have had to assess in trying to determine a system which I think would provide the most responsive and effective system of local government using the human resources available in Essex County and which could, in time, win public acceptance and encourage public participation. I am extremely conscious of the limits placed on proposals for institutional reforms by these two factors. Institutions are tools to be used by men and women for purposes they seek to fulfil. They will only work successfully if they are understandable and operable by the kinds of people who normally enjoy the confidence of their fellow citizens in electoral contests. Institutions which are not accepted by the majority of citizens as 'theirs' so that they attract and retain local support and involvement are not going to provide community self government whatever the technical superiority of their work.

At the various meetings and hearings held during the Study, I tried to explain my view of the role of an independent Commissioner undertaking such a Study. Prior to my appointment, I discussed my view of the Commissioner's role with the County-City Committee and with Ministry officials. In these discussions great stress was laid on the independence of the Commissioner. For me independence had two important and related aspects. First, once the Prospectus was approved and as long as I stayed within the terms it laid down, I would not be subject to direction from any group

or individual in the conduct of the Study. Secondly, in the formulation of recommendations, I should use my own judgement of what would be the most appropriate form of local government for this area.

I have from the outset rejected the view that the Commissioner's task is to play the role of mediator between local councils and organizations, or between these and the province in proposing changes in the local government structure. In the same way, I have rejected the view that I should attempt to search for and promote a consensus on what changes would be acceptable to local opinion, however that might be defined. To adopt either of these roles would be to accept an overtly political role picking politically acceptable compromises with only a very limited regard for an attempt to make an objective judgement about the most appropriate structure for local government in Essex County in the future.

In understanding the role of the Commissioner as I have viewed it, it is essential to see the Study Report in its proper perspective. The Study and the Study Report are steps in the process of deciding what local government structure will exist in Essex County in the future. The Commissioner's task is not to determine this question; rather it is his task to provide information and assistance to the provincial and elected representatives who have to make this political decision. The Study documents and the Report are thus to be viewed as a resource in the decision-making process. The Commissioner's task is to review the factual evidence and the submissions made by citizen's councils and organizations and then express his own view on what the most responsive and effective local government structure will be in the future in

the light of the particular circumstances in Essex County. Naturally the Commissioner must explain the reasoning behind his own recommendations and his reasons for rejecting other alternatives. But he would be failing in his responsibility to the provincial and local taxpayers who have paid for the Study if he made recommendations on the basis of his desire to placate any group, however powerful and politically influential, rather than on the basis of what he believes is in the best interests of the entire community. Different people will have different views on where the public interest lies. All that the Commissioner can do is indicate where they lie in his judgement. It should also be pointed out that I have no personal stake in satisfying any specific group at the local and provincial level. My employment as a teacher of political science at the University of Toronto continues at the conclusion of the Study; I am dependent on neither provincial nor local governments in earning my living or protecting my professional reputation in the future. It may well be that a majority of the population will not view my recommendations with favour. I would find nothing startling in this. The purpose of my report is not to tell people what they would find it most comforting to hear; it is to give them my opinion on what will serve their best interests in local government in the future.

With the publication of this final report, my work is at an end. The consideration of its recommendations is a matter for the general public and political office holders in the area. It would be inappropriate for me to intrude into that discussion.

CHAPTER 2

THE SOCIAL AND ECONOMIC ENVIRONMENT

In order to determine the most appropriate boundaries and structures for local governments; it is necessary to have a clear idea of the social and economic structure of the area concerned and of the nature of the issues which must be dealt with. The effectiveness of a local government as a planner and provider of local services is heavily dependent upon the extent to which its boundaries reflect the actual patterns of life of the local populace. Its political structures should facilitate, rather than act as a barrier to, its dealing with social and economic issues. If public interest and involvement in local government is to be sustained, the boundaries of the local municipality must be relevant to the social and economic life of ordinary citizens. The failure of these boundaries to correspond with genuine community boundaries will undermine the capacity to act as a community government. It is extremely difficult for a political community which does not reflect the pattern of social and economic activities of an area to sustain active participation by the majority of citizens.

The economic and social structure and the issues facing local governments are constantly changing. If local government boundaries do not change to reflect new circumstances, local government will become increasingly irrelevant to the shaping of the social and economic life of the local community.

In the course of this Study, I have examined a large amount of material on the social and economic life of Essex County. I have spent a great deal of time travelling in the County over the past two years, particularly during the year my family and I have been resident in Essex. All of the research I have done and what I have seen have brought home to me the extent to which Essex County is a single integrated social and economic community and the irrelevance of the existing local government boundaries in the social and economic life of the County. Indeed, I would go further than this and argue that the existing local government boundaries in many cases have very limited impact on the provision of even local services.

It would be a mistake to describe Essex County as being socially and economically dependent on Windsor. For in this context what does dependence mean? Windsor's industrial and commercial life is just as dependent on the labour force of the County and the purchasing power of County residents as they are dependent on it for employment opportunities and the commercial, professional and cultural services to be found in the City. The relationship of County to City is one of mutual interdependence. The City and County populations are bound together by common concerns. All but the most minor changes in the social and economic life of either City or County inevitably have an effect beyond the political boundaries of either. The opening up of a new subdivision with attractive modern houses at a reasonable price within the City has an immediate effect on the housing market and the prospects for future residential developments in the rest of the County. The

development of new recreational facilities in Malden or Leamington or Belle River will attract people from Windsor in probably greater numbers than from any other area in the County. The shut down of an automobile plant within the City's boundaries will have a similar effect on the sales of shopkeepers in Comber or Stoney Point or Essex to its effect on those who operate in premises in Devonshire or Tecumseh Malls. One can go on quoting such examples, all of them indicating the extent to which Essex County is for many purposes a single community. Perhaps this fact is brought home most clearly by the 1971 Census figures relating place of residence to place of work, which will be discussed in detail later. In 1971, over forty percent of the labour force in the County found employment within the City; approximately twenty-five per cent worked in county municipalities other than the one that they lived in, while only one-third lived and found employment within their own municipality.

It is, of course, impossible in an area as developed as Southern Ontario with urban centres unevenly scattered about it to draw any precise lines delimiting the boundaries of a single social and economic community. Neither is there any reason to suspect that political boundaries such as those of Essex County drawn many years ago will automatically correspond with natural social and economic boundaries. In practice, however, in the case of Essex County the existing Eastern boundary of the County does have some validity for these purposes. This is particularly true in the northern area; the Town of Tilbury and the Township of Tilbury East do seem more separated from the life of Essex County than geography alone would suggest. The absence of a sizable urban community

and the attraction of Chatham as a regional centre is undoubtedly significant. In the case of the boundary in the south, the social and economic relationship of the Village of Wheatley and the adjacent built-up area in Romney Township with the Town of Leamington is a strong one. Although Leamington is a relatively small town, it does appear to exert considerable economic impact on these areas in Kent County which have correspondingly less contact with Chatham. The place of residence and place of work statistics discussed later provide important evidence of this.

In the rest of this chapter I intend to discuss some of the main aspects of the social and economic environment within which local governments must function. At the end of the chapter I will set out what I regard as the consequences for Essex County's local government from the conclusions to be drawn from this analysis.

POPULATION TRENDS

The assessed population of Essex County increased from 256,686 to 310,342 between 1961 and 1975. This was a 20.9% increase in the fourteen year period. The rate of increase was not constant during this period. Between 1961 and 1966, the population increased 6.3%; between 1966 and 1971, 9.7% and for the four year period 1971-75, 3.7%. In terms of actual population increase in the three periods, 3,238 persons per annum were added to the population between 1961 and 1966; 5,288 between 1966 and 1971 and only 2,756 between 1971 and 1975.

TABLE 1: POPULATION CHANGE IN ESSEX COUNTY, 1961-1975

	<u>Total</u>	<u>Increase</u>	<u>% Increase</u>
1961	256,686		
1966	272,878	16,192	6.3
1971	299,318	26,440	9.7
1975	310,342	11,024	3.7

Source: Reports of the Essex Regional Assessment Commissioner

There may have been a small migration of population into the County in the earliest period. There was a sizable net immigration between 1966 and 1971 but in the last four years natural population increase was higher than the actual population increase; this means that a small amount of net migration out of the area occurred. These figures undoubtedly reflect economic changes in the area during this period and in particular the short term impetus given to employment opportunities by the 1966 Autopact Agreement. That factor appears to have now been largely absorbed; the period since 1971 has been one of very slow population growth with no net migration into the area.

The overall population of the area will continue to increase as a result of natural population growth but whether the additional population is retained in the area and whether there is any further net migration into the area will depend on economic development within it. At present, there are few signs of any major initiatives in the area which would significantly increase the number of employment opportunities and, as a result, there is no evidence to indicate any marked increase in the rate of population growth.

It is extremely difficult to make any sensible population projection for an area as small and as interdependent with the rest of the province as Essex County. While there will be some natural increase in population in the County and one can calculate this for the next ten or twenty years with some degree of accuracy since birth and death rates are unlikely to change dramatically, there can be no assurance that this natural increase will be retained in Essex County. There are no substantial barriers to the movement of population between Essex County and the rest of Ontario; if employment opportunities expand elsewhere in the Province while they do not grow significantly in Essex County, people will move out of the area in response to this. The corollary of this is that should the expansion of opportunities be greater in Essex County than in other parts of the province then one can expect a net migration into the area. Population projections based on such factors as the rate of natural increase in population, the continuance of existing trends in population growth, or, as in some local plans, the space available for residential development are likely to produce figures of only limited value. If it is so difficult to make a reasonable prediction for Essex County as a whole, it is virtually impossible to make any long term predictions for the twenty-two fragments of it presently organized as municipalities. This is made even more difficult because there is no overall plan to direct what population growth occurs to clearly designated areas in the County. All local plans have made some, often very considerable provision, for future residential development and the twenty-two municipalities are all to some degree competing for population. Since the area is such

a socially interdependent one, it is impossible to predict all of the factors which will dictate the actual pattern of new settlement which is likely to occur in the next ten to twenty years.

With a continued recovery in the overall economic situation in the Province, I would expect a very modest expansion of employment opportunities in the foreseeable future. This may allow the area to retain most of the natural population increase but, without some major new economic stimulus in the area through the attraction of major new industries, it is difficult to believe that population growth will occur at a faster rate than at present. On the basis of a one percent per annum population growth, this would produce a population in 1990 of 360,300.

POPULATION DISTRIBUTION BY AREA

The rate of population growth has not been the same in all parts of the County. One can contrast the rate of population increase in a variety of ways. Two of these are by comparing City with County, and the central city, suburban and county areas. Let us begin by comparing the City with the County. The major annexation undertaken by the City of fragments of County municipalities in 1966 makes it difficult to relate figures for City and County populations after 1966 to those for the earlier period. Since 1966, both City and County populations have grown but the rate of increase of the latter (30.8% between 1966 and 1975) has been much faster than that of the former (5.9% between 1966 and 1975). In 1966 the County population was 31.4% of the total whereas in 1975 it was 36%. County municipalities have had to

accommodate 26,313 new residents while the City has had to deal with 10,880 new residents in this nine year period. Population growth in both City and County was faster between 1966 and 1971 than between 1971 and 1975. The earlier period saw the City's population increase by 5.8% while that of the County increased 18.2%. The City's population rose by only 0.1% between 1971 and 1975 while that of the County rose by 10.6%.

Within the County, the urban municipalities (six towns and one village) grew somewhat more slowly (23.7%) than the townships (34.9%) between 1966 and 1975. However, the rapid growth of the townships occurred in the 1966 to 1971 period; since 1971 the urban settlements have grown marginally faster than the townships, 12.3% compared with 9.8% between 1971-75. One must also take into account the fact that the towns have gained population from the townships by annexations throughout the period 1961-75. There were nine annexations involving the transfer of population from townships to towns.

If one examines the population of the area in the context of the spread of urban settlement, the following picture emerges. The core City area (Wards 1-5), that part of the existing City which formed the City of Windsor prior to annexation, has lost a substantial amount of population since 1961. Its population was 116,400 in 1961 and had declined to 105,780 or by 9.1% by 1975. The size of the core City's population as a proportion of the County as a whole was much reduced. In 1961 it was 45.1% of the total population; in 1975, 34.1%. The suburban ring of municipalities immediately adjacent to Windsor in 1961 (Riverside, Sandwich East, Sandwich West, and Sandwich South) were dramatically affected

by the 1966 annexation. Their most densely populated areas were annexed to the City as Wards 6, 7 and 8. The left-over fragments of the three Sandwichs were reformed as Sandwich West and South. Taking this suburban ring as a unit, population within it grew dramatically between 1961 and 1975. Its total population increased from 72,826 to 111,635, an increase of 38,809 persons or 53.3%. The rest of the County outside the suburban ring also accommodated a substantial population increase; its population increased from 68,890 to 92,927. The distribution of population between the core City, the inner suburban ring and the rest of the County is given below. It can be seen from this table that the decline of the core City has been accompanied by a wider dispersal of population in the County.

TABLE 2: PERCENTAGE ASSESSED POPULATION BY AREA IN ESSEX COUNTY, 1961-75

	<u>1961</u>	<u>1966</u>	<u>1971</u>	<u>1975</u>
Core City (Wards 1-5)	45.1%	42.7%	38.5%	34.1%
Suburban Ring (Sandwich W. & S., City Wards 6, 7 & 8)	28.2%	30.6%	33.4%	36.0%
Rest of County	26.7%	26.7%	28.1%	29.9%
Towns & Village	11.4%	11.4%	11.5%	12.5%
Townships	15.3%	15.3%	16.6%	17.4%

Source: Reports of the Essex Regional Assessment Commissioner

As can be seen from Table 3, population growth has not been evenly spread over the existing municipalities. Municipalities such as Malden, Sandwich West, Colchester North, Rochester and Essex have had spectacular increases in population while other municipalities, such as Harrow, Tilbury West, Tecumseh and Mersea, have grown at a very modest rate.

POPULATION: AGE STRUCTURE

There have been significant changes in the age structure of the population of Essex County in the period since 1961. A decline in the birth rate led to a fall in the percentage of the population in the 0-4 and 5-9 age groups in both the City and the County. Owing to the higher birthrate which had existed in the late nineteen forties and nineteen fifties, there was a significant increase in the age groups 15-19 and 20-24 in 1971 as compared with 1961. The over 65 years age group also made up a larger proportion of the population in 1971 than in 1961.

The effect of these changes has been to reduce school enrolments first in the elementary schools and then in the secondary schools in the City where the total population is static. In the County, where the total population continued to increase in the early nineteen seventies, elementary school enrolments will fall in the late nineteen seventies and a similar trend can be expected in secondary school enrolments in the next decade.

The number of young adults entering the workforce in the area in the 1970's will be proportionately larger than the overall increase in population. As a result, the area faces the task of

TABLE 3: TOTAL ASSESSED POPULATION BY MUNICIPALITY IN ESSEX COUNTY, 1966-75

<u>Municipality</u>	<u>1966</u>	<u>1971</u>	<u>1975</u>	<u>% Change</u>		
				<u>1966-71</u>	<u>1971-5</u>	<u>1966-75</u>
Windsor	187,418	198,298	198,569	5.8	0.1	5.9
Amherstburg	4,443	4,876	5,696	9.7	18.5	28.2
Belle River	2,203	2,808	3,189	27.5	13.5	44.8
Essex	3,555	3,941	5,388	10.8	36.7	51.6
Harrow	1,884	1,907	1,939	1.2	1.7	2.9
Kingsville	3,450	3,944	4,565	14.3	15.7	32.3
Leamington	9,379	10,017	11,012	6.8	9.9	17.4
Tecumseh	4,730	5,104	5,082	7.9	-0.4	7.4
St. Clair Beach	1,734	1,961	1,929	13.1	-1.6	11.2
Total Towns & Village:	31,378	34,558	38,800	10.1	12.3	23.7
Anderdon	4,205	4,510	4,912	7.3	8.9	16.8
Colchester North	2,251	3,050	3,480	35.5	14.1	54.6
Colchester South	3,896	4,604	4,726	18.2	2.6	21.3
Gosfield North	3,159	3,411	3,626	8.0	6.3	14.8
Gosfield South	4,834	6,131	6,922	26.8	12.9	43.2
Maidstone	6,228	7,634	8,200	22.6	7.4	31.7

TABLE 3: (Cont'd.)

<u>Municipality</u>	<u>1966</u>	<u>1971</u>	<u>1975</u>	<u>% Change</u>		
				<u>1966-71</u>	<u>1971-5</u>	<u>1966-75</u>
Malden	2,475	3,194	4,313	29.1	35.0	74.3
Mersea	8,172	8,871	8,824	8.6	-0.6	8.0
Pelee	351	292	279	-16.8	-4.6	(20.5)
Rochester	2,707	3,706	4,130	36.9	11.4	52.6
Sandwich South	3,764	4,743	4,950	26.0	4.4	31.5
Sandwich West	8,213	11,882	13,896	44.7	17.0	69.2
Tilbury North	2,267	2,698	3,071	19.0	13.8	35.5
Tilbury West	1,560	1,736	1,644	11.3	-5.3	5.4
Total Townships	54,082	66,462	72,973	22.9	9.8	34.9
Total County excluding City	85,460	101,020	111,773	18.2	10.6	30.8
Total County including City	272,212	299,318	310,342	10.0	3.7	14.0

Source: Reports of the Essex Regional Assessment Commissioner

significantly expanding the number of employment opportunities if it is to avoid a substantial outward migration by young adults.

TABLE 4: PERCENTAGE DISTRIBUTION OF POPULATION BY AGE,
ESSEX COUNTY, 1961-1971

<u>Age</u>	<u>1961</u>			<u>1971</u>		
	<u>Windsor*</u>	<u>County</u>	<u>Total</u>	<u>Windsor</u>	<u>County</u>	<u>Total</u>
0-4	11.8	12.5	11.9	8.1	9.7	8.7
5-9	11.0	11.9	11.2	9.7	11.5	10.3
10-14	9.6	10.5	9.9	10.0	11.2	10.4
15-19	6.9	7.9	7.2	9.5	9.8	9.6
20-24	5.6	5.5	5.6	9.2	7.9	8.7
25-44	26.8	24.4	26.0	24.1	23.8	24.0
45-64	19.8	18.3	19.3	19.4	17.5	18.7
65+	8.5	8.9	8.6	10.0	8.7	9.6

*Including area subsequently annexed to the City in 1966

Source: Statistics Canada, Census of Canada 1961, 1971

POPULATION: BY RELIGION AND BY MOTHER TONGUE

During the nineteen sixties, the balance between Roman Catholics and people of other religious denominations shifted so that by 1971 the former group became the majority. In 1961, 46% of the area's population was made up of Roman Catholics; by 1971 this proportion had increased to 50.2%. In the City of Windsor, a majority of the population was of the Roman Catholic faith in 1971 (50.9%) while in the County non-Roman Catholics were still in a majority (51.2%). The effect of this change can be seen in the pattern of school enrolments with more children

receiving their education in the separate school systems than were enrolled in public elementary schools.

There has long existed in Essex County a significant French speaking element in the total population. Particularly in the communities bordering Lake St. Clair (Tecumseh, part of Maidstone, Belle River, Rochester and Tilbury North) a large proportion of population has French as its mother tongue. However, the overall proportion of residents with French as a mother tongue fell from 10.5% to 8.5% between 1961 and 1971; even in the Lake St. Clair shore area the proportion declined. Despite the declining proportion of those having French as a mother tongue in the total population, the actual number of people involved fell only marginally from 27,102 in 1961 to 26,155 in 1971, a decrease of 947 people in ten years. Those with French as their first language are less numerous in the south eastern part of the County. In that area, however, there is a considerable number of people with a language other than English as their first language. Here the non-English population is made up mainly of people with German and Italian ethnic backgrounds. Within the City of Windsor, 7% of the population has French as its first language, approximately the same number as those whose mother tongue is Italian.

TABLE 5: POPULATION BY MOTHER TONGUE, ESSEX COUNTY, 1961-1971

	<u>1961</u>		<u>1971</u>	
English	183,787	(71.6%)	225,470	(73.6%)
French	27,102	(10.5%)	26,155	(8.5%)
Other	45,885	(17.9%)	54,775	(17.9%)

Source: Statistics Canada, Census of Canada 1961, 1971

POPULATION: URBAN-RURAL DISTRIBUTION

The scatter of population in Essex County increased notably between 1961 and 1971. This was a result of a marked increase in the number of people living in rural areas but not on farms. In fact, while the number of people living in rural areas was increasing at a faster rate than total population, the number of people living on farms was falling not merely as a proportion of total population but in absolute numbers also. The rural non-farm population grew by 15,477 or 52.9% between 1961-71, while in the same period farm population fell from 18,795 to 15,115 a decline of 19.6%. Since 1971 the continued increase in rural population is clearly in the non-farm rather than the farm population category.

Despite the agricultural character of Essex County, it is clearly becoming less and less of a farm community. In 1961 the thirteen townships of the County (leaving aside Sandwich West which is a suburban community whose boundaries changed drastically in the decade) had a population of 44,352 of which farm population made up 40.8% of the total. Ten years later these townships had a population of 55,308; only 26.9% of it lived on farms. Farm and non-farm populations were approximately equal in numbers in seven townships in 1961 whereas ten years later farm population was greater than non-farm population in only the smallest township, Pelee, and was in excess of 40% of total population in only one other, Mersea. One has to ask what sense it makes to refer to townships with less than one-third of the total population (11 of the 14 townships in Essex County) living on farms as farming communities any more. Obviously in these eleven townships the

majority of the population look to the urban areas for their employment opportunities; for these people the rural township is little more than a dormitory.

TABLE 6: ESSEX COUNTY POPULATION BY URBAN-RURAL DISTRIBUTION, 1961-71

	1961	% of Total	1971	% of Total	Change 1961 - 1971	
Urban:	210,170	81.4	246,560	80.5	36,390	(+17.3)
Rural Total	48,048	18.6	59,840	19.5	11,792	(+24.5)
Non-farm:	29,253	11.3	44,730	14.6	15,477	(+52.9)
Farm:	18,795	7.3	15,115	4.9	-3,680	(-19.6)
TOTAL	258,218		306,400		48,182	(+18.7)

Source: Statistics Canada, Census of Canada 1961, 1971.

TABLE 7: FARM POPULATION AS A PERCENTAGE OF TOTAL POPULATION, ESSEX COUNTY TOWNSHIPS, 1961 - 1971

	1961 %	1971 %
Anderdon	26.4	16.3
Colchester North	58.9	28.6
Colchester South	46.2	27.6
Gosfield North	49.8	32.1
Gosfield South	34.3	27.0
Maidstone	30.5	17.4
Malden	42.6	23.2
Mersea	52.8	40.3
Pelee	49.9	53.4

TABLE 7: (Cont'd.)

	<u>1961</u> <u>%</u>	<u>1971</u> <u>%</u>
Rochester	47.7	28.4
Sandwich South	19.6	14.7
Sandwich West	4.3	7.0
Tilbury North	52.4	35.2
Tilbury West	42.2	32.6
Sandwich East	2.9	-

Source: Statistics Canada, Census of Canada 1961, 1971

TABLE 8: FARM POPULATION, ESSEX COUNTY TOWNSHIPS, 1961 - 1971

	<u>1961</u>	<u>1971</u>	<u>% Change</u>
Anderdon	999	761	-23.8%
Colchester N.	1,349	878	-34.9
Colchester S.	1,631	1,305	-19.9
Gosfield N.	1,483	1,108	-25.3
Gosfield S.	1,653	1,705	- 3.1
Maidstone	1,638	1,343	-18.0
Malden	957	730	-23.7
Mersea	4,132	3,654	-11.6
Pelee	236	159	-32.6
Rochester	1,294	1,032	-20.2
Sandwich S.	891	711	-20.2
Sandwich W.	1,218	853	-29.9
Tilbury N.	1,143	933	-18.4
Tilbury W.	678	555	-18.1
Sandwich E.	642		
TOTAL	19,944	15,727	-21.1

Source: Statistics Canada, Census of Canada, 1961, 1971

INDUSTRY, COMMERCE AND SERVICES

The City of Windsor dominates in manufacturing activities and employment within Essex County to an extraordinary degree. In 1970, 86.4% of the manufacturing employment in the area was in Windsor. The only other centres of significant manufacturing employment in the County were Leamington and Amherstburg with a combined total of employees of 2,922, less than one-tenth of the City's total. Although the County had a population in excess of 100,000 persons, it was the location for only 5,007 jobs in manufacturing industry in 1970; this compared with 31,820 jobs located in the City of Windsor.

TABLE 9: MANUFACTURING INDUSTRIES BY MUNICIPALITY IN ESSEX COUNTY, 1970

	Establish- ments No.	Employees		Value Added	
		Number	% of County Totals	\$'000's	% of County Totals
Amherstburg	11	1,018	2.8	36,447	4.5
Essex	12	274	.7	3,158	.4
Leamington	16	1,904	5.2	34,061	4.2
Maidstone	3	45	.1	901	.1
Mersea	5	36	.1	238	.0
Sandwich W.	9	129	.4	1,750	.2
Windsor	348	31,820	86.4	699,823	86.7
Rest of County	55	1,601	4.3	30,902	3.9
Essex County	459	36,827	100.0	807,280	100.0

Source: Statistics Canada, Annual Census of Manufacturers 1970

Manufacturing employment is concentrated in three fields: transportation equipment, metal fabricating and food and beverages. The first two fields expanded in the nineteen sixties while there was a significant decline in employment in the food and beverages industry. In 1961, 11,537 people found employment in the latter industry; ten years later this total had fallen to 5,619.

TABLE 10: MANUFACTURING INDUSTRIES IN ESSEX COUNTY, 1970

Industry	Establish- ments #	Employees #	% of Total	Value Added \$'000s	%
Transportation Equip.	35	17,387	47.2	414,042	51.3
Food & Beverages	71	5,619	15.3	164,906	20.4
Metal Fabricating	129	5,308	14.4	76,867	9.5
Machinery	18	1,102	3.0	26,661	3.3
Printing & Publishing	41	768	2.1	10,662	1.3
Non-metallic Mineral Products	15	408	1.1	6,402	0.8
Wood Industries	22	194	0.5	1,675	0.2
Furniture & Fixtures	28	141	0.4	2,028	0.3
Other	102	5,900	16.0	104,238	12.9
TOTAL	459	36,827		807,281	

Source: Statistics Canada, Annual Census of Manufacturers, 1970

Local industry is heavily dependent on inputs from other parts of the Province of Ontario but the largest markets for manufacturing outputs are outside the Province, with the largest share being exported to the United States. Windsor industry is heavily

capitalized and highly productive. The City is an industrial centre of first rank importance in Canada. In terms of the value of shipments of goods of own manufacture, only Montreal, Toronto and Hamilton among Canadian municipalities ranked ahead of Windsor in 1970.

Windsor has, of course, long been identified with the automobile and related industries which migrated across the river and the international boundary from Detroit. While it is an oversimplification to describe the City as a one industry community, the significance of the automobile industry in the economic life of both City and County cannot be disputed. The dispersal of the industry from this area to other communities in Ontario in the nineteen fifties was a substantial shock to the economic life of the area and largely explains the net migration of people from the area in that period. Since the implementation of the auto industry agreement with the United States and the resultant closer integration of the industry in Canada and the United States, manufacturing employment in Windsor has increased. As a result, net migration for the area changed from a negative to a positive figure.

The phenomenon of the substantial dependence of the economic life of a medium-sized city on a particular industry is not an uncommon one. It must also be pointed out that the automotive industry and related industries have diversified their production and that other substantial manufacturing concerns are located in the area. Nevertheless, the general economic life of the City and County is very much bound up with the economic state of this one industry. The substantial role that the industry plays in the

social and economic life of the area does confer many benefits on this County. If a city is to be associated with a single major industry, there is much to be said for it being the automobile industry. In stable or growth periods, the industry and its related industries provide a wide range of jobs in a highly productive and efficient industry which makes massive capital investments in the community. The strength of the organized labour movement in the industry has ensured workers relatively high rates of pay and some degree of protection of their incomes against short-term economic fluctuations. The relative economic prosperity of the area, as reflected in tax returns, is testimony to this fact.

On the other hand, Windsor's dependence on one industry, and the automobile industry in particular, has serious drawbacks. This is part of the explanation for the relatively limited demand for female labour reflected in the low participation rate of females in the labour force. The automobile industry is particularly sensitive to major fluctuations in the levels of economic activity. The scale and organization of the industry heightens the impact of such general trends. Thus the rapid expansion in the employment force in boom conditions is matched by substantial contraction in periods of recession like the present one.

Local policy makers have long been aware of these characteristics of the industry and the vulnerability of the local economy to them. As a result, even in periods of economic growth there has been a concern with attracting new industry to the area and encouraging the expansion of existing industries to increase and diversify the community's industrial base. Although there have been some successes in this regard, such policies face formidable

obstacles. The most serious of these are associated with Windsor's geographical position in relation to major domestic markets. Separated by 100 miles of primarily agricultural land from the nearest urban community of comparable size--London, Windsor is 200 miles from the highly developed urban community of the "Golden Horseshoe". As a result, it suffers a considerable disadvantage as a location for industrial development when it is compared with areas with easy access to that market. Its excellent transportation links and proximity to very large metropolitan areas in the United States have offset, to some extent, its geographical location in relation to domestic markets in the case of the automobile and related industries. Yet, however insubstantial the international boundary may appear from the physical perspective of Riverside Drive, it does represent an economic barrier of great significance. American industries seeking a market in Canada are, in normal circumstances, likely to seek locations closer to the largest Canadian markets; Canadian firms producing in Canada for external markets have a choice of convenient locations, many of them closer than Windsor is to the largest domestic markets.

The commercial life of the County is centred on Windsor. In the past fifteen years, important changes have occurred in the location of shopping facilities in the City. The downtown area has declined substantially in importance as shopping malls located at some distance from the centre of the City have attracted an increasing proportion of business. These shopping facilities are used not only by City residents but also attract many County residents. Their location on the fringes of the City, the free and convenient parking facilities, and the range of choice available

with one stop shopping, make them attractive to County residents who can drive to them.

Unfortunately Statistics Canada has not yet published Census material on Retail Operations collected in the 1971 Census. Nevertheless, the trend towards greater concentration of retail trade in the City was clearly visible in the 1961 and 1966 census material. In 1961 there were 2,210 retail stores in the County of which 1,123 (53%) were located in Windsor and Riverside. By 1966 the total number had fallen to 1,954 with 1,301 or 67% located within the City. The dollar value of retail sales had also changed in these five years. Windsor and Riverside had 58% of retail sales in 1961; this had increased to 76% by 1966. Observers of the local scene can clearly see the continuation of this trend since 1966. While the smaller towns within the County provide convenience shopping facilities, Windsor is the major centre, particularly for the purchase of apparel and accessories and home furnishings.

Not only is Windsor the dominant industrial and commercial centre of the County; it is also the place where the majority of County residents must go for sophisticated professional services. In 1975 a total of 214 lawyers practised in Essex County; of these 176 or 82% worked only in the City of Windsor while another 13 (6%) divided their practice between the City and other locations in the County. Only twenty-five (12%) of lawyers practised exclusively in the County; almost half of these worked in more than one community. The same kind of picture emerges with respect to medical and dental services. Of the 404 doctors resident in Essex County, 346 (85.7%) practise in the City. Of the

111 dentists resident in the County, 90 (81.1%) practise in the City. While medical and dental services are available in the towns within the County, it appears that many County residents must obtain certain routine and specialist services from practitioners working in the City. Each of the towns in the County is a sub-regional centre for the provision of professional services.

Hospital services are available locally in the City and at the general hospital in Leamington. Since the latter is a medium size facility, it provides service mainly to residents in the south eastern section of the County (Leamington, Mersea, Kingsville, Gosfield South and Pelee). It is also used by the majority of patients requiring hospital services in Wheatley (68.8%) and Romney (74.0%) in Kent County. Outside the south eastern section of the County and Tilbury N. and Tilbury West, from which a considerable number of patients use facilities in Chatham, almost all patients who do not require highly specialized services available in London and Toronto use Windsor hospitals.

AGRICULTURE

Agriculture is an important source of employment in Essex County, although its relative importance and that of the local food and beverage industries in part based on it have declined significantly over the past fifteen years. The nature of agriculture in Essex County has changed significantly in these years and this has had a substantial effect on agricultural employment. While agriculture in Essex County is highly efficient and productive and provides relatively high returns for those engaged

in it, the industry as a whole has declined substantially, as a counterweight to Windsor based industry, in the overall economy of the County.

The penetration of urban style development into the County has led to a substantial loss of farmland in recent years. In 1961 farmland acres totalled 379,962 acres and improved farmland totalled 350,526 acres or 92.25% of the former. Ten years later farmland acreage had fallen by 7% and improved farmland acreage by 4.2%. The loss of improved farmland was cushioned by improving previously unimproved land. This type of change led to a fall in farm woodlot acreage from 15,096 to 9,279 acres, a decrease of 38.5%. Obviously losses in improved farmland cannot be made up in this way to any marked extent in the future since improved farmland was 95.03% of farmland acres by 1971. To discuss loss of farmland in terms of a percentage decline rather masks the extent of the losses. In fact, between 1961 and 1966, 208 acres of farmland was lost each month. The rate of loss increased significantly between 1966 and 1971 as 238 acres were lost each month. Thus by 1971 more than one section of farmland was being lost to farm use every three months.

Between 1961 and 1971, there were important changes in the farm size pattern in the County as the nature of farming within the County changed. The total number of farms in the County fell by 22.5% from 4,860 to 3,768 in the decade. The largest loss occurred among medium size farms of 70 to 179 acres, one-third of which disappeared. The number of larger farms increased during this same period. In 1971 there were 443 farms between 180 and 399 acres in size compared with 349 in 1961; comparative

figures for farms over 400 acres were 94 and 35. There was a substantial reduction in the number of Dairy and Mixed farms while the number of farms devoted to wheat, field crops and Miscellaneous Specialized Crops increased in the face of the substantial overall decrease. What distinguishes Essex County from most other areas of the Province is the high proportion of the value of agricultural products derived from vegetables, fruits, greenhouse and other nursery products (41.6% in 1970 compared with 9.6% for the Province as a whole) and the limited value of livestock and poultry products (13.2% in 1971 compared with 47.6% for the Province). In fact, Field Crops and other Crops accounted for 72.2% of the value of agricultural products compared with 29% for the Province as a whole.

Despite a 35% increase in the experienced labour force between 1961 and 1971 in Essex County, the number of farmers and farm workers fell from 8,036 to 5,390 or by 32.9% during the decade. This group of employees was 8.7% of the Essex County labour force in 1961 but only 4.3% in 1971. This means that only one in twenty-three persons in the county's labour force was engaged in farm work in 1971. There was a corresponding decline in the number of census farm operators from 4,860 to 3,768 during the decade. What is more, a larger percentage of farm operators were engaged in off farm work and for a longer period in 1971 (50.1%) than in 1961 (38.7%). Typically farm operators working part-time away from the farm spent the majority of their time off the farm, the average number of days being 183.4 in 1971.

TABLE 11: EXPERIENCED LABOUR FORCE 15 YEARS OF AGE AND OVER BY
OCCUPATION DIVISION, ESSEX COUNTY, 1961, 1971

	1961	% of Labour Force	1971	% of Labour Force	% Change
Managerial	7,922	8.6	4,875	3.9	- *
Professional & Technical	8,710	9.4	13,810	11.0	58.4
Clerical	12,693	13.8	17,380	13.9	36.8
Sales	6,134	6.6	11,755	9.4	91.6
Service & Recreational	10,799	11.7	14,280	11.4	32.3
Transportation & Communication	5,734	6.2	5,920	4.7	3.3
Farmers & Farm Workers	8,036	8.7	5,390	4.3	-32.9
Loggers, Fishermen, etc.	199	0.3	255	0.2	28.1
Miners, Quarry- men	136	0.1	125	0.1	-8.1
Craftsmen & Production Process	26,265	28.5	38,725	30.9	47.4
Unskilled	3,628	3.9	3,150	2.5	-13.2
Not Stated	1,938	2.1	9,340	7.4	- *
TOTAL	92,279		124,990		35.4

Source: Statistics Canada, Census of Canada 1961, 1971

*The figures for "managerial" and "not stated" cannot be used for comparative purposes, since "owners" who were placed in the "managerial" category in 1961 have been put in the "not stated" category in 1971.

PLACE OF WORK BY PLACE OF RESIDENCE

The picture which emerges from the above discussion is of a community outside the City in which there is a great deal of mobility as part of the normal pattern of life of the residents. This is certainly confirmed by the results of a special tabulation prepared by Statistics Canada, from the 1971 Census, relating place of work to place of residence. Let us begin with the overall results of this tabulation. The vast majority of Windsor residents work within the City boundaries. Of the 71,530 City people who reported place of work, 91.5% work in the City, 2.6% work in Essex County and 5.8% work in the United States. This is a very different picture than that for County residents of whom only 34.7% of those reporting worked at home or within their own municipality. More County residents reporting place of work worked in the City (13,650 or 40.3%) than worked in the municipality in which they resided. One-quarter or 8,475 of all county residents reporting place of work live in one county municipality but work in another. In eleven county municipalities of the total of twenty-one, more residents reporting place of work worked in Windsor than in their own municipality. Of the County municipalities only in five towns - Essex, Harrow, Kingsville, Amherstburg and Leamington did more residents work in their municipality of residence than worked outside; in the other sixteen municipalities in the County the reverse was true. While there is no statistical information on the 1971-75 period, it is clear that the established trend of the dispersal of Windsor commuters continued during this period. This is indicated in particular by the rapid growth of population in Essex and Malden.

While Windsor is the single most important work centre for County residents, the five towns in the southern part of the County were important centres of employment for residents in neighbouring townships.

The highest concentration of Windsor commuters is found in the municipalities immediately adjacent to Windsor and in those along the shore of Lake St. Clair. In the south western part of the County, Amherstburg is a counter attraction to Windsor but a large proportion of residents outside of Amherstburg itself (between 30% and 50% of those reporting place of work in 1971) worked in Windsor. Only in the south eastern section of the County in Kingsville and Leamington and the townships surrounding them does the proportion of residents reporting place of work commuting to work in Windsor fall below 30%.

In the case of the Essex County municipalities bordering on Kent County, the vast majority of residents reporting place of work in 1971, work in Essex County: Mersea 92.7%, Tilbury West 91.2%, Tilbury North 83.8%. Correspondingly, few residents of these border townships reported working in Kent County: Mersea 6.6%, Tilbury West 8.8%, Tilbury North 15.6%. On the Kent side of the County border, the picture was somewhat different. Of those Wheatley residents reporting work who left their own municipality to work 205 (or 33% of the total) worked in Essex as compared with 75 (or 12% of the total) who worked in Kent County. A large proportion of Romney residents reporting place of work were employed in Wheatley (31.2%) but a slightly larger total crossed the county border into Essex (31.9%) whereas only 13.5% found employment in the rest of Kent County. In the case of the Town of Tilbury, a higher

TABLE 12: ESSEX COUNTY MUNICIPALITIES: PERCENTAGE OF RESIDENTS
REPORTING PLACE OF WORK BY MUNICIPALITY, 1971

	Work in Municipality of Residence	Work in Windsor	Work in Other Area Centre
Amherstburg	72.8	21.1	
Belle River	30.6	55	
Essex	50.4	41.1	
Harrow	53.5	30.2	
Kingsville	54.8	21.6	in Leamington 11.6
Leamington	75.9	10.5	
Tecumseh	21.0	68.7	
St. Clair Beach	11.8	69.9	
Anderdon	12.6	38.5	in Amherstburg 36.0
Colchester North	20.2	49.5	in Essex 15.9
Colchester South	30.4	35.0	in Harrow 20.1
Gosfield North	37.7	30.1	in Essex 13.6 in Leamington 8.1
Gosfield South	25.1	20.7	in Kingsville 27.3 in Leamington 18.9
Maidstone	14.8	62.6	in Essex 5.4
Malden	21.0	30.4	in Amherstburg 39.7
Mersea	26.5	10.2	in Leamington 51.0
Rochester	23.8	51.6	in Belle River 9.4
Sandwich South	14.4	65.4	
Sandwich West	13.7	74.7	
Tilbury North	38.5	29.0	
Tilbury West	41.2	30.7	in Leamington 14.0

Source: Statistics Canada, Census of Canada 1971,

TABLE 13: PLACE OF WORK BY PLACE OF RESIDENCE: RANKING OF COUNTY MUNICIPALITIES BY PERCENTAGE OF LABOUR FORCE WORKING IN WINDSOR, 1971

	<u>%</u>	<u>More work Outside Mun.</u>	<u>More Work in Windsor than own Municipality</u>
1. Sandwich West	74.7	+	*
2. St. Clair Beach	69.9	+	*
3. Tecumseh	68.7	+	*
4. Sandwich South	65.4	+	*
5. Maidstone	62.6	+	*
6. Belle River	55.0	+	*
7. Rochester	51.6	+	*
8. Colchester North	49.5	+	*
9. Essex	41.1		
10. Anderdon	38.5	+	*
11. Colchester South	35.0	+	*
12. Tilbury West	30.7	+	
13. Malden	30.4	+	*
14. Harrow	30.2		
15. Gosfield North	30.1	+	
16. Tilbury North	29.0	+	
17. Kingsville	21.6		
18. Amherstburg	21.1		
19. Gosfield South	20.7	+	
20. Leamington	10.5		
21. Mersea	10.2	+	

More people work in Windsor than in own municipality in 11 municipalities.

More people work outside than in own municipality in 16 municipalities.

Source: Statistics Canada, Census of Canada, 1971

proportion of the residents worked within the Town but of those who worked in other municipalities more worked in Essex than in Kent County. A quite different situation exists in Tilbury East, very few of whose residents (7.3%) worked in Essex in 1971.

TABLE 14: RESIDENTS OF KENT BORDER MUNICIPALITIES REPORTING PLACE OF WORK, 1971

Resident In	Work at home/ own municipality		Work in other municipality in Kent County		Work in Essex County	
Tilbury	795	(67.7%)	155	(13.2%)	225	(19.0%)
Wheatley	345	(55.2%)	75	(12.0%)	205	(32.8%)
Romney	165	(23.4%)	315	(44.7%)	225	(31.9%)
			(220 Wheatley)			
Tilbury East	355	(34.5%)	600	(58.3%)	75	(7.3%)
			(205 Tilbury)			

Source: Statistics Canada, Census of Canada, 1971

TABLE 15: RESIDENTS OF OTHER MUNICIPALITIES IN ESSEX AND KENT COUNTIES WORKING IN KENT BORDER MUNICIPALITIES, 1971

Work In	Resident in Kent County	Resident in Essex County
Tilbury	340	120
Wheatley	245	335
Romney	55	135
Tilbury East	110	50

Source: Statistics Canada, Census of Canada 1971

THE MEDIA

Only one daily newspaper is published in Essex County, - the Windsor Star. This newspaper is owned by the Southam chain having been purchased from local interests several years ago. The Windsor Star publishes two editions daily: a County or early edition which provides special coverage of Kent and Lambton County news and a Final edition which gives special coverage of Essex County. In 1974, 69.8% of the total daily circulation of 84,370 copies was in the Windsor Zone (the City and immediate suburban area), 19.3% in the rest of Essex County, 7.9% in Kent County and 2.1% in Lambton County. Although other daily newspapers, in particular the Globe and Mail, circulate in the County, none of them has a significant role in covering Essex County news. The Windsor Star provides detailed coverage of City politics and of County Council activities. It provides a less intensive but fairly comprehensive coverage of the affairs of other municipal councils in the County. Whereas there is some analytical comment on City politics, most of the coverage of county municipalities takes the form of short news items on local decisions and projects.

Each of the towns within the County of Essex has a community newspaper; Essex and Leamington each have two. With the exception of the Tecumseh Tribune which publishes monthly, they are weeklies. Both Tilbury and Wheatley on the Kent border also have weekly newspapers. Within the City, the Riverside News covers the old town of Riverside which was annexed to the City in 1966. Two community papers cover the activities of the Italian and French speaking communities in the County; one, LaGazzetta, publishes monthly, the other LeRempart, fortnightly. The two newspapers usually limit

their coverage to the town and the neighbouring rural areas. This is mirrored not only in their news coverage but also by the highly localized nature of the advertising that they carry.

Local government news is featured in the local newspapers although it mainly takes the form of formal coverage of the meetings of local councils, commissions and committees. The news staff of all the local papers is very small so that coverage of local politics is not intensive; there is very little in the way of analytical comment or comparative material. To some extent the amount of discussion of local politics is dependent on the interest and personality of the Editor. Thus there is considerable variety in the coverage provided and some newspapers, most notably the Amherstburg Echo, do devote considerable space to local political controversies.

There are three A.M. and two F.M. radio stations broadcasting in English and one A.M. Station broadcasting in French in the City of Windsor. CHYR, an AM station in Leamington, is the only radio station in the rest of the County. The only T.V. station producing programmes in the area is the C.B.C. station CBET. The local T.V. station and to a lesser extent the radio stations have to compete with U.S. stations based in Detroit for their audience. The T.V. station, the local CBC station and C.K.W.W. provide considerable coverage of local political news and some regular commentary. While they do cover major events in the County, there is considerable concentration on City Council affairs. CHYR in Leamington makes special efforts to cover local political news in the County and particularly in the Leamington-Kingsville area.

As can be seen from the above, the local mass communications network is relatively highly developed in Essex County although the resources available for covering local political news to the private radio stations and the local newspapers are strictly limited. The highly fragmented nature of the local government system which includes twenty-three local councils makes comprehensive coverage difficult. The number of bodies involved is so large that newspapers and radio and T.V. news departments can cover events but find it extremely difficult to give any continuous analytical coverage to local affairs. Thus citizens are often informed about specific decisions and projects without any attempt to place these in context or in a comparative framework. 'News' is available; the background and analysis necessary to make judgements about its significance are not.

TABLE 16: NEWSPAPERS PUBLISHED IN ESSEX COUNTY

Name	Approximate Circulation* 1975	Frequency of Publication
Amherstburg Echo	3,200	Weekly
Essex Free Press	5,200	Weekly
Essex Times	7,200+	Weekly
Harrow News	1,600	Weekly
Kingsville Reporter	1,850	Weekly
Leamington Post & News	6,200	Weekly
North Essex News (Belle River)	1,500	Weekly
Riverside News	3,200	Weekly
The Sun (Leamington)	Free Delivery	Weekly
Tecumseh Tribune	2,300	Monthly

TABLE 16: (Cont'd.)

Name	Approximate Circulation* 1975	Frequency of Publication
Windsor Star	84,370	Daily
LaGazetta (Italian)	4,000	Monthly
LeRempart (French)	1,250	Fortnightly

*Circulation figures supplied by a representative of each newspaper and, in the case of the Windsor Star by the ABC Audit Report, 1974.

+This figure will be very different now since the paper is distributed for free in several sections of Windsor.

CONCLUSIONS

In the past fifteen years, the social and economical integration of the City of Windsor and Essex County has proceeded at a rapid rate. While industrial, commercial and cultural life has come to centre to a greater extent on the City of Windsor, residential development has become more dispersed around the County. In consequence, the interdependence of City and County has grown. While there has been some recognition of this development in the County, few City residents and politicians appear to have grasped the nature and significance of these changes. The failure of the City to retain even the natural increase of its population within its boundaries and the loss of approximately 500 family units in each year between 1971 and 1975 has not been the subject of debate within the City. Yet the continuance of this trend, and at present I can see no reason to doubt that it will continue, reshapes the social and economic character of the whole area. The separation of City and County into distinct local government, and most significantly planning, units means that the local governments become less relevant in shaping the

economic and social life of the community. Increasingly the structure of local government acts as a barrier to the effective planning and provision of local services. Some progress has been made in reshaping the local government structure to the realities of social and economic structure through the creation of special purpose agencies serving the City and County. The continuance of this trend and the further fragmentation of local government structures will undermine the capacity of elected local governments to deal systematically with the efficient planning and provision of services. For the majority of residents of the area, their most significant community is one which includes both City and County but there is no reflection of this in the political institutions which currently exist.

The spread of residential development in the County has changed the pattern of economic and social life within it. Urban style development is no longer restricted to the County towns but is spread throughout the County.

The County towns have increased their importance as sub-regional centres serving the population of the surrounding townships. The distinctions between rural and urban municipalities in terms of the actual social structure of the area have been undermined by the spread of residential development in the County and the growth of such communities in the townships as Comber, Cottam, Stoney Point, McGregor, Woodslee and Colchester. Each of the County towns is a business, commercial, service and recreational centre for the surrounding townships and is served by a local newspaper based in the town. In the case of Leamington, Amherstburg and Kingsville and to a lesser extent Harrow and Essex,

the local town is also a significant centre of employment for the surrounding area. As the pattern of annexations demonstrates, urban development centred on the local town spills over the town boundary into the neighbouring township. The existing town and township boundaries have been marginally adjusted from time to time through annexation; this practice will certainly continue unless there is a general revision of boundaries. Such marginal changes may help to deal with immediate service problems. However, it is impossible by such piecemeal action to adjust municipal boundaries in such a way that they reflect the economic and social structure of the local communities. What is more, further substantial annexations may lead to such losses of assessment by municipalities that their capacity to operate local services effectively is further undermined.

In my view, the available evidence leads one to the conclusion that rapid industrial and commercial expansion with an accompanying substantial increase in the rate of population growth in Windsor and the County of Essex is extremely unlikely in the foreseeable future. In making proposals for changes in the local government structure, I have made the assumption that a slow to moderate rate of growth will occur in the nineteen seventies and eighties. With a moderate rate of growth in population and the existing trend in school enrolments, the need for capital investment in school buildings and facilities will be limited. It is in the environmental field and to a lesser extent in the roads field that substantial capital investment will be required. The magnitude of these capital expenditures will be determined in the immediate future by the existing need for

facilities to service partially developed areas in both the City and County. The City has a considerable capital works programme simply to provide and upgrade services to meet current needs. The scattering of development in the County has created the need for the upgrading of and provision of new facilities in a large number of locations around the County in order to meet minimum standards. In the future, the need for capital investments and the cost to taxpayers will be heavily dependent on the extent to which the limited growth, and particularly residential development, is planned to make the most economic use of existing facilities and extensions to them. This in turn will be heavily dependent on the capacity of the local planning structures to develop and implement a comprehensive development plan for the entire area.

The preservation of the best agricultural land in the County and the preservation and development of what remains of the recreational potential of the County also require the development of a county wide planning and development control capacity. At present no machinery exists for making and implementing the difficult decisions which have to be taken if urban development is to be controlled so as to minimize the undesirable impact on both the most productive farmland and the potential recreational areas. Development in a scattered and haphazard manner has already proceeded a long way in Essex County and this trend is unlikely to be reversed unless a strong central agency exercises control over future development. The existence of a multiplicity of municipalities and planning bodies in the area inevitably promotes competition between them, particularly when the area is growing at a

moderate rate. It is unrealistic to expect such a fragmented structure to tackle the major issues involved in controlling and directing future development. In fact, the existing system creates inducements to municipalities to compete for development and thus promotes further scattering.

In short, the divisions created between the City and County and within local communities by the existing municipal structure represent serious barriers to the development of an effective political community and undermine its capacity to deal with the most pressing issues facing local government.

CHAPTER 3

THE EXISTING LOCAL GOVERNMENT STRUCTURE

The purpose of this chapter is to comment on certain aspects of the existing local government structure which are relevant for recommendations made later in this report. A detailed description of the structural elements of the system was given in Research Report #2. It is not my intention here to repeat that material but simply to focus on those matters which have led me to propose changes in the future.

The first test of any governmental structure in a democratic political system is the extent to which it attracts the interest and involvement of those people who it is supposed to serve. Indeed the legitimacy of a local system of representative self-government is bound to be a function of the participation it invokes from those who are affected by the decisions taken within it. The most serious failing of the existing structure of local government in Essex County is in this failure to establish the legitimacy of local government institutions as the effective spokesmen for local interests. This inadequacy is reflected in the difficulty of attracting a representative group of people to seek local office, the relative indifference of the local electors to local government affairs and the absence from the political scene of any organized groups of citizens scrutinizing and commenting in any systematic fashion on local government matters. This situation is by no means unique to Essex County. However, having said that, Essex County residents can find little comfort in a situation in knowing that other areas of the province are as badly off as

themselves. Before examining the reasons for this central weakness in the local government system, it is necessary to provide evidence in support of the assertions made above.

An important test of the strength of public participation in the local political system is the willingness of a representative group of residents to seek local office. If local government activities are perceived by members of the public as being understandable, important in terms of shaping the community, affecting the interests of residents and involving the exercise of real discretionary authority, one can expect many talented people from all walks of life to wish to participate in them at the highest levels. All our experience of voluntary associations, which abound in Essex County, is that people are prepared to make great sacrifices of time if they believe an activity is worthwhile and provides some personal fulfilment. When one examines the pattern of recruitment for local elected office in Essex County, it is clear that relatively few people have made positive judgements about the desirability of intensive participation in the activities of existing local governments.

In the seven towns in Essex County in the 1974 election, forty-seven seats on municipal councils were open and were contested by 81 persons. Twelve of these seats were filled by acclamation, including exactly half (10) of the positions of Mayor, Reeve and Deputy Reeve. In the fourteen townships and one village, seventy-five municipal council seats were open and were contested by 114 persons. Thirty-one seats (41%) were filled by acclamation, including sixteen of the twenty-nine positions as Reeve or Deputy Reeve. When one turns to the four police villages in the County,

one finds that all twelve trustees were returned by acclamation.

The lack of competition for office, and therefore the restriction of public choice, was even more notable in the case of County School Boards and local commissions. Only twenty-two people contested the eighteen seats on the Essex County Board of Education, and twenty people the fourteen seats on the Essex County Roman Catholic Separate School Board. Seventeen (53%) of the thirty-two school board seats were filled by acclamation. In the case of elected Hydro and Utility Commissions in the County, only thirty-one people chose to contest the twenty-six seats available; sixteen seats (61%) were filled by acclamation.

To sum up the record of the 1974 local elections in the County, two hundred and eighty people contested for one hundred and ninety-two elected positions. When I commiserated with one Deputy Reeve who had lost office in the election, his cheerful response was "well it makes me one of a select group". He was, of course, quite right; he was one of only 31.5% of the candidates for local office who had failed to be elected. Of the forty-one members of the Essex County Council who met for the first time as a Council in January 1975, a majority (twenty-two members) had won office by acclamation. The 1974 election was not an exception in the political life of Essex County; for in the municipal election in each municipality immediately prior to the 1974 election, there were fewer candidates for the same number of offices and a higher percentage of acclamations. Of the County Council which assembled in January 1974, twenty-nine of the forty-one members (71%) had been elected by acclamation.

Competition for office in the City of Windsor is certainly keener than in the County, although it must be pointed out that far fewer offices are open to a significantly larger population than is the case in the County. In the County there is an elected position for every 570 persons; in the City the ratio is one to every 5,880 persons. In the case of the City Council, four candidates sought the office of Mayor and forty persons sought the eight aldermanic seats in 1974. This was a considerable increase from 1973, when the respective figures had been 3 and 28. The number of candidates for aldermanic office would appear less dramatic if Council were elected on a ward rather than city-wide basis; there would have been an average of 5 candidates per ward in 1974 and 3.5 candidates per ward in 1971. The contest for school board seats drew fewer candidates-43 for a total of 21 seats. In 1974, six school board seats were filled by acclamation. In the case of the Windsor Utilities Commission, only six candidates sought the four seats. In 1971, fewer candidates contested school board seats (34 for 20 seats) while eight candidates contested the four Commission positions.

At the outset of the research undertaken for this Study, I distributed a questionnaire to members of municipal councils in October 1974 and then to the new members of the councils elected in December 1974. (The questionnaire and the results obtained are given in full in Research Report #2). The questionnaire dealt with the public service of the councillor, the time spent on public business and the time and funds spent on election campaigns. The traditional picture of the local councillor as a very active participant in his or her community was not borne out by the

responses to the questionnaire. On the contrary, few municipal councillors seem to have been deeply involved in local organizations prior to their election. The picture of the electoral process which emerges from the respondents' replies is of an exceedingly casual affair. Candidates, outside the City of Windsor, campaign for very short periods of time and expend virtually no funds on the campaign. When one turns to the question of the time spent on municipal business, the vast majority of the respondents outside the City spent less than fifty hours per month on public business including preparation for meetings, time at meetings and contacts with citizens on public affairs. It may be objected that the above comments are based on a forty percent response to a single survey. This is quite true, but then forty percent response is generally accepted as a high return rate for this type of survey. Secondly, there is every reason to believe that the most active local councillors responded. Finally, the figures on time spent, organizational membership, etc. are those provided by municipal councillors themselves who were under no pressure to minimize their own contribution to the conduct of public affairs.

As might be expected, the responses from City Council members showed some variance from those of County representatives. However, one is struck by the relative paucity of the experience of members in community organizations and local government bodies. While City politicians campaigned for longer periods of time, five of the eight City respondents claimed to have won office with campaign budgets of less than \$2,000. There is no reason to disbelieve these estimates since there was no advantage to respondents in not reporting accurately. To win office in an at-large

election in a city of 200,000 with the expenditure of less than \$2,000 in campaign funds certainly suggests that the campaign was far from a dynamic public event. This was confirmed by personal observation in 1974. In that year, despite the nomination of a very large number of candidates for office and a close contest for the office of mayor between two established local politicians, the campaign had an extremely limited impact on the life of the City. This was, of course, reflected in the voter turnout, which despite the bad weather was in line with that of recent local elections. The mayor of Windsor was elected with the support of less than 19% of the eligible voters, in what was essentially a two man contest.

There are difficulties in discussing voter participation in local elections arising from the fact that it is relatively rare for there to be a fully contested election in county municipalities in Essex County. All of the open municipal council seats were contested in only three of the twenty-one municipalities in 1974. In the municipal elections immediately prior to 1974, all municipal council seats were contested in only four county municipalities. Obviously, if the office of Mayor, Reeve, Deputy Reeve or more than one of these is not contested in a municipality, the inducement to participate in a municipal election is somewhat reduced. In four municipalities in 1974, all council seats were filled by acclamation (this includes Colchester S. where insufficient candidates were nominated to fill all council seats); the only elections were for school board positions. In these municipalities, voter turnout was very low - between 3% and 17.2%. In the other county municipalities in which either full or partial elections were held

for municipal and school board offices, turnout averaged 42.7% and ranged between 22% and 66%. (These figures do not include the separated Township of Pelee where turnout was 98%. Astonishingly this was down from the last contested election in 1971 for which the Clerk-Treasurer reported a turnout of 100%). These figures appear to be typical ones for municipal elections in the 1970s, although there are considerable variations between municipalities and from year to year in the turnout figures.

In the City of Windsor, voter turnout in 1974 was 37.7%. In that year extremely adverse weather conditions may have affected the turnout, as it may have in county municipalities. However, as in the case of the latter, the turnout in 1974 was in line with previous elections. In 1971 voter turnout in the City was 38.62%. It is interesting to compare the figures for voter turnout in City elections in the nineteen seventies with those for earlier election years. There appears to be a downward trend in voter participation in local elections.

TABLE 17: CITY OF WINDSOR - LOCAL ELECTIONS

	<u>% Voter Turnout</u>
1954	60.05%
1956	59.72%
1958	46.27%
1960	48.72%
1962	51.26%
1964	46.50%
1965	39.24%
1967	38.62%
1969	46.59%
1971	38.00%
1974	37.70%

Source: Windsor Star Election Reports

One should hasten to add that annexation can scarcely be blamed for this downward trend since turnout in the annexed areas has not been lower than that in the core City.

Voting is the minimum level of participation by citizens in local politics. It involves the expenditure of a few minutes of time every couple of years; there is no test of the knowledge or interest of the voter who participates in the election by casting his or her vote. In the nineteen seventies in the City of Windsor, over sixty percent of those eligible to vote have chosen not to devote the fifteen or twenty minutes of their time necessary to complete this action. In the County, the levels of participation are highly variable, but again, taking the County as a whole, a very clear majority of the local electorate have chosen not to engage in this minimal level of participation in local politics.

Many political scientists when viewing local politics have stressed the importance of other activities in addition to voting when examining the overall level of local participation. Since voting involves such a very limited involvement, they have examined the level of involvement of individuals and particularly organized groups in the continuing business of local governments. The essence of a democratic political system with representative government is that the activities of office holders be the subject of continuous scrutiny by an informed public. Only when this occurs is the electorate regularly made aware of the types of choices being made on their behalf by their representatives, and thus is able to judge the performance of the latter. Such continuous involvement by non-office holders is also necessary to

broaden the contact of these with the various public opinions which exist in the community. In short, the traditional test of the strength of democratic government has been the capacity of an opposition to operate and provide a continuing critique of those in power. This has long been an area of weakness in local government in Canada. All too often the activities of oppositionist groups, or even groups which simply desire to keep in contact with local affairs and comment on them, have been viewed by office holders as illegitimate and subversive of local unity. Such 'boosterist' attitudes have been subject to intense criticism in many of the larger municipalities in Ontario and the rest of Canada in the last decade. Citizen pressure groups organized often by rate-payers within a particular locality, but offering a wide ranging scrutiny of local government activities, have become an important element on the local scene.

Windsor and Essex County have been almost untouched by such developments. Even the traditional local interest groups associated with such conventional institutions as the Chamber of Commerce, Labour Councils and other business and professional groups rarely take a very active role in local political issues unless a matter arises which has a direct impact on their membership. A local Community Planning Association exists but its activity is sporadic to say the most. No active Social Planning Council exists to challenge local governments on matters of social policy. Indeed, it is hard to find any organized group which consistently reviews the public policies of local governments. While a small number of citizens do take a continuing interest in local affairs without organizational support, it is extremely difficult for them to make any impact on local affairs.

This is not to say, of course, that from time to time groups of citizens whose interests are directly affected by a particular planning or public works decision do not protest and attempt to apply pressure for changes in local government decisions. Indeed such activity is not at all uncommon. Typically such protests occur only after decisions have been taken and are about to be implemented in line with policies which were made, usually without benefit of public involvement, months or even years before. Such group activities are sometimes effective, the normal outcome being to stop, alter, or postpone implementation of a decision already taken. Often such incidents lead to very unproductive disputes between citizens and local governments, with the former charging that there was inadequate public consultation, and the officials exasperated with the public which failed to take any interest when the policy was being implemented and forcing a contradictory change in one element of it. In the absence of the activities of organized bodies engaged in continuous review and regular involvement in the decision-making process, such sudden outbursts are bound to be a feature of local politics. They bring with them a feeling of mistrust on the part of the general public, and an inclination on the part of some elected and appointed officials to try and avoid the discussion of the detailed implementation of policies once approved.

One example of this kind of situation was given to us in Belle River. The Planning Board found that they were unable to stimulate public interest when the general policies of the official plan were being formulated. However, at a later date, when the official plan had been completed and its detailed implementation was being undertaken, there was very substantial public

involvement and criticism of the original concepts set out in the plan.

When one turns to the actual membership of councils, it is difficult to comment on the "representativeness" of such bodies. There is no particular reason to assume that a council will be representative of the class or occupational make up of the community it represents or to argue that it is in the public interest that a close correlation would be particularly desirable. This is particularly so in light of the fact that most elected bodies in Canada tend to be dominated by middle class people, who have the time and education which permits them to participate in public affairs and who are normally regarded by the majority of the population as the most appropriate representatives. Two features of local government bodies in Essex County in addition to these expected features, do stand out. First, relatively few professional people or management employees of larger corporations seem to be involved in local politics. In consequence, few municipal politicians have a background which gives them familiarity with public law and regulations, or any experience in working with specialist expert staff. These are important matters. While the small businessman or the self employed farmer often has some experience of financial management, they rarely have any personal experience of working in a bureaucratic structure which is highly compartmentalized into specialist units and whose procedures are highly formalized. Yet this is the type of structure common in large scale private enterprise and in modern governments. In consequence, local politicians have feelings of hostility towards the very idea of bureaucratic structures having these characteristics

and little understanding of how to use them. The second outstanding feature of representation on municipal bodies in the County is the absence of representation of those who live in a County municipality and work elsewhere - in other words of the commuter population. This underrepresentation can be seen best in the townships. There are 65 positions on the councils of the fourteen townships in the County. In 1975, thirty-six (or 55%) of these seats were filled by farmers. This included the Reeves and Deputy Reeves, of whom 61.5% were farmers. In these fourteen townships approximately one-quarter of the population lived on farms. Thus approximately 75% of the population was represented on township councils by only 45% of council members who were not farmers. In the case of the County as a whole, only 15.1% of the total population lived on farms, while 41.5% of County councillors identified themselves as farmers. In the local elections of 1974, there were 31 contests involving farmers and non-farmers in township elections. Of the twenty-three farmers involved, sixteen (70%) were elected. Of the thirty-eight non-farmers, fifteen (39%) were elected. Thus even where non-farmers did contest office their chances of success were considerably poorer than those of farmers.

I have no desire to argue that farmers are in any way to be avoided as local representatives or that they are in some way deficient as municipal representatives. What these figures do show, however, is the extent to which the changing social character of the Essex County townships in the last fifteen years has not been reflected in the make up of local councils. The new residents of the townships, the vast majority of whom work outside the

municipality, have not arrived at an equitable level of representation on local councils.

In the remainder of this chapter I intend to review the operations of the existing local government institutions in the County, including the City. This review is necessary to provide background information for the recommendations for specific changes which I shall make in later chapters. Any discussion of local government structure must include continual reference to the relationship between the province and local governments and I intend to begin my discussion with some general comments on this. I will then go on to discuss the municipal structure, the County government, and other local boards and commissions.

PROVINCIAL-MUNICIPAL RELATIONS

As in other parts of Ontario, local governments in Essex County cannot be viewed as autonomous units of government. Indeed, the common reference to local government as constituting a "level of government" can be misleading. Ontario local governments can take no action not specifically required or permitted under provincial statutes. Numerous statutes, in addition to the Municipal Act, define their powers, prescribe procedures which must be followed and provide for checks by provincial authorities on the manner in which the delegated authority has been exercised.

This legal subordination of local governments to the province has been the basis, not merely for provincial control over the structure of local governments and their finances, but also detailed supervision of their programmes. In many respects, local governments are agents of the provincial government carrying

out provincial policies at the local level, often with only a very limited range of discretionary authority. Although local municipal councils and school boards are elected to represent local interests and to provide community government, the reality is that they do this within a legislative, financial and policy framework which imposes very narrow limits on their freedom of action. It is important to understand that these restraints go much further than merely legislative and procedural limitations. The provincial government also imposes restraints on local governments through the imposition of minimum standards, often backed by inspection, through financial inducements and controls, and through the requirement of provincial approval of local decisions.

Let us examine some of the major areas of local government activity to illustrate the nature and comprehensiveness of provincial control.

In the planning field, the local planning board and municipal council formulate a land use plan. This plan achieves official status only when it has been reviewed by officials of the Ministry of Housing, who obtain advice on it from numerous other provincial ministries, and approved by the Minister. Any amendments to the official plan must be dealt with in the same fashion. The major tools for implementing the official plan are zoning by-laws. These are drawn up and approved by council but they do not come into effect until approved by the Ontario Municipal Board. Amendments to zoning by-laws also require such approval. The favoured means of developing land is through a plan of subdivision. Such plans may be prepared locally and approved by council; they must then be reviewed and approved by

the Ministry of Housing. Even individual applications on minor planning matters are not exempt from provincial scrutiny. Local Committees of Adjustment and County Land Division Committees deal with applications for minor variances and consents to sever parcels of land. The decisions of these bodies can be appealed to the Ontario Municipal Board. The right to appeal is not restricted to individuals or local bodies; it can also be exercised by provincial authorities.

The effect of all these requirements for Ministry or Board approval at every step of the planning process is to force municipalities to study provincial policies and preferences and to take account of them in formulating plans and making decisions on implementation. The existence of these approval powers thus forces municipalities not merely to follow procedures set down in planning legislation but also to shape the substance of planning decisions to provincial preferences. Municipal governments, in making planning decisions, must not merely ask the question of what is the most appropriate decision taken by the correct procedure, but also the question of what the Ministry or Board is likely to feel is appropriate in the light of their past decisions.

In the construction and maintenance of roads, a very important function for all municipalities, the major provincial control is exercised through the granting or withholding of subsidies. Municipal roads budgets are examined in great detail by the Ministry of Transportation and Communications. The Ministry approves all or part of the budget for provincial subsidy. The subsidy varies with the type of municipality and the type of work involved, but represents at least fifty per cent of the

costs for approved items. The consequence of this is that the municipal programme must be drawn up in such a manner as to be acceptable to the Ministry; if the Ministry does not approve an item, the Council can only go ahead with it if it is willing to finance the full cost from local revenues. Not unnaturally, municipalities are extremely reluctant to go ahead with projects not approved by the Ministry. The overall scope of the local roads budget is heavily dependent on the allocation which the Ministry has made to the municipality to subsidize roads expenditures.

One could go on elaborating the nature and extent of provincial control at great length. The Department of the Environment, for example, has a whole range of tools for the control of local government activities. The Ontario Municipal Board uses its powers over long term borrowing to control municipal capital works projects. Provincial involvement in local programmes is persistent and pervasive.

The extent of provincial involvement and supervision in the provision of services by municipal councils is matched by that affecting other local government agencies such as school boards, conservation authorities, boards of health and children's aid societies. Often these bodies are viewed by specialist provincial departments as little more than local branches of their own bureaucracies; detailed control from the centre to maintain uniform minimum levels of provision is a natural outcome of this view.

There is an air of unreality in discussing the functions of local municipalities, cities and counties unless the pervasiveness

of provincial involvement in the fulfilment of those functions is fully understood. In any discussion of the reform of local government, the question of how structural and financial reforms will affect the relationship between the provincial and local governments is a vital question. Often opponents of reform discuss the existing municipal structure without any reference to the provincial - municipal relationship. In fact, reforms which led to a change in the basis of this relationship would do far more to enhance local autonomy and decision-making power than any proposal aimed at merely continuing existing municipalities in existence.

MUNICIPALITIES

Within the present County of Essex there are twenty-one municipalities including seven towns, one village and thirteen townships. All of these are lower tier municipalities and are represented on the Essex County Council which directs the affairs of the upper tier municipality, the Corporation of the County of Essex. The City of Windsor and the Township of Pelee are separated municipalities within Essex County. The City's status as a single tier local government is the result of its size and urban character; the separate Township of Pelee's status is a result of geography.

There is a tendency to regard the existing municipal boundaries, in the absence of comprehensive restructuring, as fixed. In fact, municipal boundaries in Essex County are in a constant state of flux as the result of the approval of local applications for annexation by the Ontario Municipal Board.

Since 1961 twelve of the twenty-one existing County municipalities have had boundary changes as a result of successful applications for annexation. In each and every case, the boundary changes have resulted from annexations by the City and towns in the County of land lying in neighbouring townships. Only Amherstburg and Harrow, among the county towns, have not annexed land from neighbouring townships since 1961; Tilbury in the County of Kent annexed land from the Essex County municipality of Tilbury North in 1963, 1968 and 1973. The largest annexation in this fifteen year period occurred in 1966. This led to a substantial increase in both the land area and population of the City of Windsor and the disappearance as separate municipal entities of the separated town of Riverside and the townships of Ojibway and Sandwich East, and very substantial boundary changes in Sandwich West and Sandwich South.

During the period of the Restructuring Study the normal practice of avoiding annexations within an area where major reforms are being considered has been followed. This is achieved by the Minister withholding his approval of Ontario Municipal Board consideration of applications for annexations of any significance. If the Study fails to lead to restructuring in Essex County, it seems inevitable that further annexations will occur in the immediate future. This seems particularly likely in the Amherstburg area where no annexations have occurred for a considerable period of time but where urban development has been continuing at a relatively rapid pace. In fact, if the trend of the nineteen sixties and seventies continues, one can expect a rash of annexation applications from towns with the County in the latter half

of this decade.

The existing County municipalities range in size from Sandwich West with a population of 13,896 in 1975 to Tilbury West with a population of 1,644. Thirteen of the County municipalities - three towns, one village and nine townships - had an assessed population of under 5,000 in 1975 while one town and three townships had populations in excess of eight thousand people. At the outset of the local government reform program the then Ontario Minister of Municipal Affairs suggested that a minimum population of 8,000 persons is necessary for an effective lower tier municipality. On this standard, seventeen of the twenty-one municipalities in the County of Essex are below this suggested minimum population.

Municipal councils range in size from five to nine members. There is no correspondance between the size of the council and the population of the municipality. At the extremes, Sandwich West has a ratio of members to population of 1 to 2,751 while this ratio is 1 to 321 in Tilbury West. Leamington, the county municipality with the largest population, has a council with seven members, while Essex with less than half its population has a nine member council. The Windsor City Council has nine members, the same number as the councils in Essex and Amherstburg. The ratio of council members to population in Windsor is approximately 1 to 22,000.

The municipalities in the County differ not only in terms of population but in many other ways too. Sandwich West, Anderdon, Maidstone and Sandwich South are all townships. This means that they have the legal form of a rural municipality despite the fact that all four had non-farm populations in 1971 which constituted

more than 82% of their total populations. While Sandwich West, the township with the lowest percentage of farm population (7%), had very limited commercial and industrial assessment, the other three municipalities had a ratio of industrial and commercial assessment to farm and residential assessment which was much closer to that in the urban municipalities in the County than to other townships. In fact Anderdon, Maidstone and Sandwich South had a higher proportion of total assessment in the industrial and commercial assessment category than half of the urban municipalities in the County. In the circumstances, one may wonder about the appropriateness of the township form of government for these municipalities.

It has already been pointed out in Chapter 2 that the existing municipal boundaries appear to have no significance for social and economic purposes other than municipal government. When one examines the actual patterns of service provision in the County, one finds that they are of only limited significance for that purpose. Section III of Research Report #2 gives a detailed listing of intermunicipal agreements and other forms of intermunicipal cooperation. This discloses the extent to which the existing municipalities have themselves ignored the present boundaries in making provision for the efficient and economical delivery of services. While the present boundaries have great significance for taxation purposes, and while they represent relatively rigid lines for certain purposes such as policing, certain planning functions and the construction and upkeep of local roads, they represent barriers which have been 'negotiated around' for many services. The pattern for the provision of fire services and in

particular dispatch facilities, the fulfilment of animal control functions, the supply and treatment of water, and the organization and provision of recreational facilities do not correspond with the existing boundary structure over large areas of the County. When a municipality in Essex County is faced with demands for the provision of a new service, it appears that few municipal councillors feel limited to thinking about it in terms of their own municipality alone.

The negotiation and adjustment of intermunicipal agreements and other forms of cooperation are an important part of municipal business in the County. In my discussions with elected representatives and officials in the County, the existence of such intermunicipal cooperation was often given as a reason for limiting the scope of any reforms which might be recommended. Much was made of the cooperation itself, but very little of the time expended in negotiating it or of the loss of flexibility in providing services which occurs when formal agreements exist. If so much intermunicipal cooperation has been proved necessary by the practical circumstances which councils face, then should not the boundaries of county municipalities be viewed as barriers to effective service provision and be adjusted to more closely correspond with the actual service areas now in use in the provision of local services? Mayor Smith of Amherstburg made this kind of argument in a brief he presented to me. Amherstburg is a partner in the provision of many local services with its neighbours Anderdon and Malden. On the basis of long experience in local politics, the Mayor expressed the view that intermunicipal agreements were very much a 'second best' method for the efficient

provision of services. He regretted the inflexibility of inter-municipal agreements and stressed the time spent, and the difficulties involved, in making and changing agreements between three independent authorities serving what in his view is a single service area.

The City of Windsor, while it stands outside the County structure, is involved in a series of important intermunicipal agreements and in other forms of intermunicipal activity both with the County and individual county municipalities. These involve the purchase of services from the City by county municipalities (as in the case of water supply by Sandwich West), joint undertakings with a county municipality (as in the case of a joint water undertaking with Tecumseh) and cooperation with the County on a voluntary basis or under the provisions of provincial statutes and regulations. While the City is a "separated municipality" for purposes of the Municipal Act, one cannot assume that such "separation" from the County is an accurate description of the realities of local government. In fact, City and County cooperate under an agreement which permits the City to dispose of its solid wastes on landfill sites within the County. Together they provide the funds necessary to support the Windsor-Essex County Development Commission and to a lesser extent the Greater Windsor Visitors and Convention Bureau. The County Council recognises that certain public facilities and activities in the City confer benefits on County residents, as in the case of the new Windsor Art Gallery, and assist in financing them. Certain provincial statutes and regulations require the City and County to participate in joint undertakings. Thus the Windsor Suburban Roads Commission, which

is responsible for many miles of road in the County Road system, is made up of City and County nominees and is jointly financed. The Metro Windsor-Essex County Health Unit is governed by a joint board of health and financed by City and County. Children's services are provided in both City and County, with the financial support of both councils, by the Children's Aid Society of the County of Essex and the Children's Aid Society for Essex County (Roman Catholic). In the case of the Essex Region Conservation Authority, the City is a partner with all the municipalities in Essex County. While the City has a small minority of the membership on this body, it provides the bulk of the local funds.

As can be seen from the above, there are a number of important local government functions for which the existing boundary between the City and County is ignored. The effective service area for these functions is a combination of the territory of both the City and the County. The most obvious omission in this field is any joint authority in the land use planning field. Although in some cases in defining planning areas the provincial government has grouped certain county municipalities to form a single planning area, no mechanism has been created to coordinate land use planning either over the County as a whole or between the City and the areas surrounding it.

Having discussed some aspects of the external structure of local municipalities, we now turn to a discussion of their internal structure.

There is some variation in the manner in which municipal councils in the review area handle council business. Approximately half of the councils do not use a committee system but deal

with all municipal business in Committee of the Whole (Table 5 Research Report #2). While this approach is also followed in the City, the other urban municipalities in the County have council committees. The existence of a committee system on paper may not reflect the actual practice of a council since committees may meet irregularly or informally. There are limited statutory requirements for committees and as a result the City and County Councils each have a Home Committee, and the County, a County Roads Committee. In practice, these do not operate as independent bodies. Because of the small size of municipal councils, the limited range of policy issues which have to be dealt with by County municipalities and the desire of council members to participate in the full range of council business, the committee systems have only a limited function in the conduct of municipal business in the area.

The most complex system of boards and committees exists in the recreational field. These complexities arise for two reasons: the statutory requirements governing the administration of community centres and arenas, and the desire to involve non-council members who play an important part in organizing community recreational programmes in the policy making and administrative processes. As can be seen from Table 22 in Research Report #2, a complex structure of boards, commissions and committees exists in almost all municipalities. Despite this, in most instances the local council does exercise considerable financial control over recreational programmes. Greater uniformity and simplicity in these structures would improve the capacity of municipal councils to plan and financially control activities in this field

and also improve public understanding of the structure of government.

In visiting councils, in observing them in operation, and in discussing their operations with council members and individual citizens, I was struck by the ease with which individuals and organizations who have representations to make to a municipal council can do so. In most instances, there is an air of informality at council sessions and great readiness to hear any individual or group which takes the trouble to attend a meeting. Because of the pressure of business, the City has more formal arrangements for hearing delegations. These represent no barrier to a citizen or group who takes the most minimal trouble to give notice of its desire to be heard. In fact, some degree of formality in arranging the appearance of delegations does have some advantage since it gives council members some advance warning of the issues which are going to be raised.

There are very great differences in the degree to which council meetings are organized and advance information is available to council members and citizens on the issues to be dealt with and the back ground information on which decisions are to be taken. In this respect, the City of Windsor is a model for municipal councils. Any observer can see that very considerable care and study has been given to the manner in which agendas are prepared and supporting material organized. This material is distributed to council members well before meetings are held and is available to the press and any citizen who asks for it well enough in advance of the meeting to allow careful study before the meeting takes place. In consequence, any citizen who takes the trouble

to listen to local news broadcasts or reads the Windsor Star in the days prior to the meeting is made aware of the main items to be dealt with by Council at its weekly meetings. In the past fifteen years I have examined literally hundreds of council agendas in Canada, Britain and the U.S.A.; I have found none of them as comprehensive, well organized and informative as those of the Windsor City Council.

Among County municipalities, there is considerable variation in the manner in which council agendas are prepared, the extent to which they are supported by written reports on specific items the council must deal with and their availability prior to council meetings. My impression is that in many instances there is an attitude of informality on these matters and a belief that extensive formal preparation is unnecessary. In some cases council members do not see agendas until they arrive at the meeting and very few written reports, other than the minutes of the previous meeting, are provided on particular matters. The lack of staff and the range of issues which the few full time administrative staff have to deal with obviously make it difficult to find the time for extensive preparation. Some locally elected representatives also argue that the smallness of the council, the limited range of issues and the frequency of meetings makes such preparation unnecessary. There are a number of very important reasons why extensive preparation for all council meetings is essential. First, very few municipalities have specialist expert staff available at meetings. In the absence of a well prepared report on items on the agenda, council members are in no position to know the full implications involved in considering and making

a specific decision on an item before them. Even when a knowledgeable Clerk is available to advise, oral reports on complex matters are not a satisfactory way of fully briefing a lay council. Second, in the absence of a clear agenda and supporting documentation to guide council discussions, it is often difficult to keep these to the point. In reading council minutes, in newspaper reports and in observing council meetings, I have been struck by the air of confusion which seems to exist in the minds of councillors and observers as councils deal with even routine matters. A striking point about council meetings is the number of matters which are discussed but on which decisions are postponed because adequate information was not available. Third, an important part of any council member's job is to prepare for meetings by investigating the issues to be raised and in many instances discussing them prior to council consideration with local citizens who have knowledge of or an interest in the decisions to be taken. This can only be done if council agendas and background papers are distributed several days prior to a meeting. In my view there is a regrettable tendency for councillors to place too much emphasis on time spent on meetings and not nearly enough on preparation for them. Finally, councils are dealing with public business and any member of the public is entitled to information in advance on what matters the council is to consider and full access to the background information and expert opinions the council has to guide it in making decisions. This is not simply a matter of public relations and the enhancement of the council's relationship with the public; it is a matter of the right of every citizen to know what and how public business is being dealt

with. To believe that the right of a citizen to have access to public affairs is satisfied by his right to attend meetings of council is naive in the extreme. Precisely because public business involves continuous consideration of issues and because many matters are carried over from meeting to meeting, even the most assiduous attender of council meetings will have grave difficulty in following the disposition of issues unless he or she can consult a complete file of agendas, minutes and background reports.

In this same context, I feel bound to comment, on the basis of my own observations and representations made to me by local residents, that on occasion certain municipal councils and other local boards and commissions have a tendency to treat public business as if it were private business. This is manifested in one way by councils and boards failing to publicize all committee meetings and council and board meetings and to open them to the public. I can find very few circumstances in which any committee or council meeting can legitimately be held in private. There may be some cases where the conduct of an individual employee or the completion of a property deal justifies the holding of an in camera session. However, there is a need to examine very carefully the need for in camera sessions and determine that what is being served is not the preferences or the political interests of council members but the public interest. The same is true of so-called 'caucus' or informal council meetings at which public business is discussed and the decisions taken then confirmed at formal sessions of council.

It is both the duty and in the long term interests of municipal councils and local boards to make every effort to explain to the public the decisions taken and the basis on

which they were taken. Public support for and involvement in local politics is to no small extent dependent on this.

A detailed picture of the administrative structure and the staff employed by municipalities is set out in Section II of Research Report #2. As can be seen from that information, there are enormous differences in the organization and scale of operations between municipalities in the area because of the great differences in their size and in the functions they fulfil. Only three municipalities and the County of Essex employ more than twenty full time municipal staff (excluding commission employees). In all of the County municipalities, the majority of full time employees are employed in the general administrative office or in public works. The majority of public works employees work on local roads and, where no separate commissions exist, in utility services. A substantial departmental structure exists only in the City and County administrations, although both Sandwich West and Leamington have some department organization. In each of the four municipalities with the largest groups of employees, the Council has appointed one person as head of the municipal administration. In the City, this individual is called City Manager and in normal circumstances he has no other departmental duties. In the County, the Administrator is also Treasurer. In Leamington and Sandwich West, he is also the Clerk. In Belle River, Tecumseh, St. Clair Beach, and Mersea, one individual is specifically designated as Administrator although in each of these instances he also functions as Clerk or Clerk-Treasurer. While the majority of municipalities have not designated an Administrator, the Clerk-Treasurer is identifiable as a head of

the administration, in many cases by default since he is the only executive official in the employ of the municipality. In every instance where no administrator has been specifically designated, the crucial offices of Clerk and Treasurer are filled by the same person.

In the preceding pages I have made only passing reference to the Corporation of the County of Essex. It is appropriate to discuss the County government separately and to relate the functions it fulfils to those of the County municipalities.

The Essex County Council is the largest municipal body in the review area, being made up of two representatives of each of the twenty-one municipalities with the exception of the Town of Harrow which has chosen to be represented by one member. As with all County Councils, it is made up of the Reeves and Deputy Reeves of the constituent municipalities. This means it includes the head of council of the thirteen townships and one village in the County but not the mayors of the seven towns. The Council is the largest municipal assembly in the County and is more than four times the size of any municipal council in the review area. It is also more than twice as large as each of the County school boards. The council meets every three weeks. The affairs of the two Council Standing Committees (which are statutory committees) are for the most part conducted during the general meeting.

The County Administration is headed by an Administrator-Treasurer. Of the County's 194 full time employees (Dec. 1974), the majority (114) are employed at the County Home for the Aged. The Roads Department with 35 full time employees and the Social and Family Services Department with 33 full time employees have

the next largest staffs. The head of the County Council, the Warden, is not normally employed full-time on public business; he continues to serve as Reeve or Deputy Reeve in the municipality which elected him.

Since county municipalities vary considerably in size, there are substantial inequities in the representation of the population of constituent municipalities on the County Council. Although it is possible for the Council to use a weighted voting system which in part offsets these inequities, in practice it rarely does so.

Traditionally in Ontario the County government has had a limited role in providing local services. However, in recent years social and economic developments have led counties to play a more substantial role in local government as problems have had to be dealt with on a regional basis. Essex County Council has been affected by such pressures and in consequence has extended the range of its activities. The County is involved with the City in providing a whole range of services which have already been discussed. The County has also taken the initiative under permissive legislation (and to some extent in advance of this) in providing services on a county wide basis. The County Library system was established in 1966 with the agreement of nineteen of the twenty-one county municipalities. The County landfill scheme which allows for the disposal of solid waste from all municipalities in the County and the City of Windsor in three carefully managed sites was the product of intermunicipal negotiation. The County chose to take over assessment in 1966 only to see this function taken over from it by the province. The County also

took over from the county municipalities the provision of social and family services in 1966. In the planning field, the County established a County Land Division Committee in 1972 which serves eleven municipalities. A concern with the overall planning of land use in the County led the Council to commission a major study which led to the adoption of a land use plan in 1974. Following the completion of this study, a County Planning Department was established and a County Planner was appointed. However, the resignation of the County Planner in 1975 has brought a temporary halt to action in that field. Another example of the initiative of the County in adopting a County wide outlook on services is seen in the agreements negotiated between the County and municipalities which enables the County Housing Authority to serve all residents of Essex County. When one views these developments within the County and between County and City, one can see again how practical considerations in the efficient provision of services have led to efforts to escape the straight-jacket of existing municipal boundaries.

LOCAL GOVERNMENT AGENCIES

Many local services are provided in both City and County under the direction of local special purpose agencies. Each of these has some degree of independence from the municipal council. The degree of independence depends upon the manner in which the board or commission or committee is chosen, the manner in which it is financed and in the established practices of the local governments. The fragmentation of authority and the compartmentalization of administrative structures is more marked in the

towns than in the townships in the County. However, it is a feature of local government everywhere in the area. I found that very few citizens or elected representatives had a clear picture of the relationships between the multiplicity of local government bodies.

Fragmentation has developed because local institutions have been created in piecemeal fashion to provide particular local services with little thought being given to the overall pattern of local community government. Provincial Ministries and agencies with a special interest in a given policy area prefer to deal with specialist local agencies. They find that they can exercise a greater degree of control within their sphere of interest by dealing with local agencies which have a similarly limited purpose. Multi-purpose agencies at the local level inevitably have to be concerned with establishing local priorities among services and are not as likely to share the views of provincial organizations on the relative importance of a particular service. The existence of local 'subsidiaries' creates a local pressure group protective of the independence of the local agency and the interests of a particular service. The conditional grant structure set up by the province has been used to buttress the special purpose agency structure to a substantial extent. While this structure survives, the capacity of the municipal council, a multi-functional local body, to provide a general community government is seriously undermined.

It is normal to describe local government structures in terms of the local agencies and the relationship between them. While this approach is useful in understanding the existing local

government system, it can also be misleading. In order to make the existing structures understandable, one has to concentrate on explaining the interlocking nature of the relationships between them. The result is to obscure the makeshift and piecemeal nature of the existing structure which is designed more to suit the preferences of provincial policy makers than to facilitate effective local self government.

Later in this chapter I have briefly described the various components of the local government system in the traditional manner but before doing this it is instructive to view them from a different perspective. This is the perspective of an ordinary citizen who receives local services and pays for them. This perspective is an important one if our concern is, as it must be, with the difficulties involved in holding local agencies accountable to the local electorate and in promoting the development of responsive local government.

Let us take as an example the citizen of one small town in the southern part of Essex County, the Town of Kingsville. From his or her viewpoint the existing structure of local government is an extremely complex one.

The following table lists some of the major local services and the local agencies primarily responsible for providing them. Each one of the agencies is supported, in part, by local taxes and charges paid by the Kingsville resident. In the cases of the Town Council of the Municipality, the County of Essex and the School Boards, the contact between the taxpayer and the local government agency is relatively clearly defined. This is also the case in the payment of service charges to the Kingsville Public

Utilities Commission. In the instance of the other public agencies listed, they receive locally generated funds through payments made by the Town Council and the Essex County Council. The footnotes to the following table provide information on instances where the local service is provided in cooperation with other local government agencies and the relationship of the local agency listed to the municipal and the County corporations. Since our concern here is to describe local relationships, no attempt is made to detail the powers exercised by provincial authorities over the local agencies in providing the services listed. However, it should be clearly understood that when one lists the Town Council as being responsible for providing for example local roads, sewers and planning services that they exercise their decision-making authority under the detailed supervision of the provincial Ministers of Transportation and Communications, Environment and Housing respectively.

TABLE 18: THE PROVISION OF LOCAL SERVICES BY LOCAL GOVERNMENT AGENCIES IN KINGSVILLE

<u>Service</u>	<u>Local Agency Primarily Responsible for Providing Service</u>
Local Tax Collection	Town Council
Roads	Town Council ¹
Sewers	Town Council
Fire	Town Council ²
Building Inspection	Town Council
Cemetary	Town Council
Waste Collection & Disposal	Town Council ³

TABLE 18: (Cont'd.)

<u>Service</u>	<u>Local Agency Primarily Responsible for Providing Service</u>
Parks & Recreation	Town Council Recreation Committee Community Centre Board ⁴
Animal Control	Town Council ⁵
Water Supply	Kingsville P.U.C. ⁶
Hydro	Kingsville P.U.C. ⁷
Police	Kingsville Board of Police Commissioners ⁸
Planning	Town Council Planning Board Committee of Adjustment ⁹
Social & Family Services	Essex County
Homes for Aged	Essex County
Library Service	Essex County Library Board
Public Housing	Essex County Housing Authority ¹⁰
Public Health	Metro Windsor-Essex County Board of Health ¹¹
Children's Services	Children's Aid Society of the County of Essex Children's Aid Society for Essex County (Roman Catholic) ¹²
Emergency Measures	City & County E.M.O. ¹³
Industrial & Commercial Development	Windsor-Essex County Development Commission ¹⁴
Conservation	Essex Region Conservation Authority ¹⁵
Education	Essex County Board of Education Essex County Roman Catholic Separate School Board

Footnotes

1. Kingsville has an agreement with the County of Essex respecting road links to the County Roads System.

2. Kingsville buys dispatch service from Leamington and provides space in its firehall to Gosfield South.
3. Kingsville disposes of its garbage at Landfill Site 2 which is owned by the County of Essex and managed by a local joint board involving 5 municipalities.
4. Kingsville has a Committee of Council, a Recreation Committee with a representative citizen membership and a joint Community Centre Board with Gosfield South.
5. Kingsville buys service involving use of the Dog Pound from Leamington.
6. Kingsville P.U.C. buys water wholesale from the Union system owned and operated by the Ministry of the Environment and is represented on the users advisory committee.
7. Kingsville P.U.C. buys power from Ontario Hydro which also has authority to approve rates charged to local consumers.
8. The Board of Police Commissioners submits an annual budget to Town Council. In the case of disagreement on the budget it is the Ontario Police Commission and not the Town Council which makes the final determination of the amount to be paid from local revenues.
9. Kingsville Town Council is the final local planning authority but a joint Kingsville-Gosfield South Planning Board has statutory authority to advise the Council on planning matters.
The Kingsville-Gosfield South Committee of Adjustment is an independent local agency dealing with consents and minor variances. Appeals from its decisions lie with the Ontario Municipal Board.
10. The Essex County Housing Authority is in effect a local subsidiary of the Ontario Housing Corporation responsible for the management of units in the County. A contribution of 7½% of the operating deficit of the Authority is charged by O.H.C. to Kingsville. However, under an agreement between the County and local municipalities, Kingsville collects this charge from the County Council.
11. The Metro Windsor-Essex County Health Unit is managed by a Board of Health with representation from County, City and the Province. The County contributes to its budget. Final power over the Budget is in the hands of the Ministry of Health.

12. The Children's Aid Societies provide children's services in both City and County. The City and County nominate members to their Boards of Directors and contribute to their budgets. Final responsibility for the budget of the Societies is in the hands of the Minister of Social and Family Services.
13. A joint City and County Emergency Measures Organization is financed by City and County.
14. The Development Commission is a private non profit corporation whose work is supported by contributions from City and County Councils.
15. The Conservation Authority has 31 members one of whom is appointed by the Kingsville Town Council. It precepts on the municipality for Kingsville's share of local contributions to the Authority budget.

How can the ordinary Kingsville resident be expected to know and understand all the arrangements under which his local services are provided? How can he hold local government bodies publicly accountable when the lines of public responsibility for the provision of local services are so tangled? What sense does it make to talk of public participation and the responsiveness of local governments when the ordinary citizen cannot understand the existing structure or fix responsibility for the provision of services? When faced with this situation the ordinary citizen looks to his municipal councillor to provide information and to accept responsibility.

A large number of local elected representatives expressed disquiet over this situation. Municipal councillors often find that they are expected to accept responsibility by the electorate for bodies over which municipal council has little or no control and about which they have little information. They feel frustrated, particularly when putting together the municipal budget, in having only limited control over community affairs and the expenditure

of funds raised locally. In 1974, \$748,000 was raised through local taxation in Kingsville; additional sums raised through Ontario grants and from other sources meant that total revenues were \$1,051,000. Of this sum, \$343,000 (32.6%) was paid out in education levies and \$103,000 (9.8%) in County levies. Police expenditures accounted for \$114,000 (10.8%), and a small amount went to the Conservation Authority. The Town Council had some degree of control over less than half of the total revenues raised. Much of this went to service debt, to meet obligations under intermunicipal agreements and to the maintenance of routine services. In practice the proportion of funds on which discretionary decisions can be made is very small. To talk of coherence in policy making or establishing local priorities in public expenditure makes little sense in these circumstances.

In discussing the existing pattern of local special purpose bodies my main concern is to focus on a number of specific issues. The most striking feature of the existing system is the lack of uniformity in the manner in which certain local services are administered. Local boards are used to administer certain services in some municipalities while the same function is directly administered by the council in other municipalities. While this distinction is sometimes related to the legal status of the municipality, it is not related to its size or the complexity of the operations involved. Thus, for example, Essex has a Public Utilities Commission while Sandwich West doesn't.

There is presently little logic in the way members are chosen for the boards and commissions. In some cases they are

elected; in other cases, appointed. This variation occurs without any reference to the importance of the agency or to the range of policy matters with which it has to deal. For example, an elected body manages the distribution of water supply in Malden but an appointed body - the planning board - deals with municipal planning matters.

The relationship of boards and commissions to municipal council where financial matters are concerned is enormously varied. This relationship is confused in a number of cases by the existence of shared cost programmes in which the provincial government has a significant power to determine local budgets and in others by the power of a provincial body to make decisions on the budget of the local agency when a dispute occurs at the local level. In consequence, the formal relationship between the local agency and the municipal council is often a poor guide to the actual practice.

In addition, the absence of any general local government structure which has jurisdiction in both City and County requires the creation of special purpose bodies related to by both City and County Councils when, as is increasingly the case, services are to be provided on a County wide basis.

In describing the existing pattern of local special purpose agencies, I have found it useful to divide them into four groups: County-City agencies, County agencies, Local agencies and the boards of education.

COUNTY-CITY AGENCIES

A number of special purpose local government agencies provide services in both the County and City. Their essential characteristic is that they operate across the line of municipal separation which exists between the County and City. They are all financed, in part, by the City of Windsor and the County of Essex or by County municipalities. It should be noted that these joint agencies provide a number of important local services.

METRO WINDSOR-ESSEX COUNTY BOARD OF HEALTH

The Metro Windsor-Essex County Board of Health was created in 1970 to serve both the City and County. It is composed of four members chosen by City Council, four County Councillors and two provincial appointees. The Health Unit it directs is a substantial organization providing a range of public health services. In 1975 it had 115 full time and 4 part time employees.

The Director of the Health Unit is Medical Officer of Health for the area. This has traditionally been an important and prestigious office in local government and much of the legislation concerning public health matters specifically charges the Medical Officer of Health with responsibility for the protection and preservation of public health. The Board of Health has a general supervisory role in relation to the Health Unit's operations; it determines the annual budget. However, the largest proportion of the budget involves shared cost services supported by the province. At present, approximately seventy-five percent of total expenditures are funded by the Province with

the City and County contributing the remainder. While the Health Unit's budget is subject to review, the make up of the Board of Health and the nature of the Medical Officer of Health's responsibilities in practice restrict the Councils' budgetary role.

WINDSOR SUBURBAN ROADS COMMISSION

The Windsor Suburban Roads Commission is made up of two members appointed by City Council, two members appointed by County Council and a chairman chosen by the four appointed members. Commissioners are chosen for a five year term and can be removed by two-thirds vote of the appointing body.

The Commission is responsible for that portion of the County Road System which it designates as suburban roads (subject to provincial approval). In practice this amounts to approximately 40% of County of Essex roads. The construction and maintenance of suburban roads is financed by contributions from the County (25%), City (25%) and Province (50%) and is under the supervision of the County Engineer. The County Clerk normally serves as Secretary to the Commission. The budget of the Commission is prepared together with the County Roads Budget and is approved by County Council. As long as the City's contribution to the Commission's budget is less than the amount produced by one-half mill levied on the City's assessment as determined by the Minister for this purpose (at a figure substantially less than actual assessment), the City Council has no power to vary the budget approved by the County Council. For all intents and purposes the Suburban Roads Commission is an administrative organization

designed to ensure that the City contributes to the cost of constructing and maintaining arterial roads within the County roads system used by commuters.

CHILDREN'S AID SOCIETIES

While the City and County Councils are independently responsible for a range of local social service programmes, local children's services are provided by two Children's Aid Societies with jurisdiction throughout the area. The City and County have minority representation on the boards of the two societies. The societies are financed by the Province and through contributions, based on the proportion of children in care from each jurisdiction, from the City and County. In the case of a dispute between the societies and the City and/or County Councils over budget matters, the final power to determine the societies' budgets and thus the local contribution is in the hands of the Minister of Social and Family Services.

In practice, the Children's Aid Societies have a substantial degree of independence at the local level but are subject to detailed provincial regulation.

THE ESSEX REGION CONSERVATION AUTHORITY

The Essex Region Conservation Authority is a relatively recent creation having been established in July 1973. It covers the entire County with the exception of areas of the townships of Tilbury North (57% excluded), Tilbury West (65% excluded) and Mersea (22% excluded). These latter areas come under the

jurisdiction of the Lower Thames Valley Conservation Authority. The Authority has thirty-one members, three of whom are provincial appointees. Each county municipality appoints one representative to the Authority with the exception of Leamington and Sandwich West which appoint two each. The City of Windsor, which has approximately two-thirds of the population and assessment in the Authority's area, names four of the Authority's thirty-one members.

The Authority is still in its early stages of operation and, in consequence, its work has had a limited impact on the area to date. It has been the source of some local controversy largely concerning the manner in which it is financed and the degree of control a municipality should exercise over its members on the Authority. For many years there was debate within the City of Windsor about the desirability of membership in an Authority which would draw the overwhelming majority of its regular budget from the City but which would include only a small minority of City-nominated members. There is still considerable concern among local politicians in the area because of the very limited representation which each municipality has on a body which can raise funds by precept on the municipality.

WINDSOR-ESSEX COUNTY DEVELOPMENT COMMISSION GREATER WINDSOR VISITORS AND CONVENTION BUREAU

The Windsor-Essex County Development Commission and the Greater Windsor Visitors and Convention Bureau are private non profit corporations but in practice are almost completely dependent on municipal grants. Over ninety percent of the Development Commission's revenues and over eighty percent of the Bureau's revenues were contributed by the City and County Councils in 1974.

The bulk of the public funds in each case was provided by the City. The two councils each appoint representatives to the boards of these two bodies but the overwhelming proportion of board membership is drawn from the local business community. Neither organization is formally linked with the City or County administration and there is very limited informal contact; this means that the promotion of the business and tourist potential of the area is separated from other local government activities.

COUNTY AGENCIES

There are only two special purpose agencies organized at the County level. Both the County Library Board and the County Land Division Committee have jurisdiction over only part of the County.

The County Library Board consists of three County Councillors and three local residents appointed by the County Council. The Board is responsible for the direction of the County Library system which provides service in nineteen municipalities (the entire County except Belle River and Leamington). Its activities are financed by contributions from the province and a library rate levied by County Council on participating municipalities. In practice, the County Library Board functions as a committee of County Council.

The County Land Division Committee consists of five local residents appointed for three year terms by County Council. The Committee operates independently of County Council and, in the absence of a County planning staff, without professional advisers. It hears applications for consents in the twelve County municipalities which do not have Committees of Adjustment empowered to hear

such applications. Its decisions may be appealed to the Ontario Municipal Board. It is financed from the fees paid by applicants and by County levies on those municipalities which it serves.

LOCAL AGENCIES

There are a large number of special purpose agencies serving one or more municipalities. The only type of local special purpose body which is common to all municipalities in the County is the planning board. In some instances, the services provided under the direction of a special purpose agency in one municipality are provided under the direction of municipal council in others. The main types of local agencies are described briefly here and mention made of important individual agencies.

BOARDS OF POLICE COMMISSIONERS

There are ten local municipal police forces in Essex County, four operating under the direction of municipal council, while the remaining six (Windsor, Amherstburg, Essex, Kingsville, Leamington and Sandwich West) have Boards of Police Commissioners. Each of the Boards of Police Commissioners has three members - a County Judge appointed by the Solicitor General, a second provincial appointee (in three cases a provincial judge) and the head of the municipal council. There is no requirement that police commissioners be residents of the municipality in which they serve.

The Boards have a good deal of independence from municipal council in directing the provision of police services. The municipal council reviews the budget prepared by the Board but in case of a disagreement between these two bodies the Ontario Police

Commission and not the local council fixes the final budget.

PUBLIC UTILITIES, UTILITY AND HYDRO COMMISSIONS

Hydro and water supply systems are managed by elected local boards in a minority of municipalities in the County. Public Utilities and Hydro Commissions are responsible for local electric power distribution systems in nine municipalities - the City, seven towns and the Village of St. Clair Beach. Local hydro systems exist in Comber and Cottam where they are managed by the police village trustees and in the Township of Sandwich West where a Committee made up of all council members is responsible for the system. In other parts of the County, electric power is provided by Ontario Hydro directly. Local water supply comes under the direction of a local commission in eight municipalities, while in the remaining fourteen it is under the control of municipal council.

The Public Utilities Act requires the creation of a local elected commission to manage the distribution of electric power in towns and cities but makes it optional in townships and villages. The decision to place responsibility for local water supply in the hands of an elected commission is a matter for local option. Where a commission manages more than one utility, it is required to maintain a separate set of accounts for each, although it may employ a common staff, facilities and billing procedures in providing the service.

While Public Utilities, Public Utility and Hydro Commissions are required to report annually to municipal councils and the latter must approve the issuance of debentures, the making of

agreements with other municipalities and the scale of remuneration for Commissioners, commissions are independent in the day-to-day management of the utility or utilities.

TABLE 19: PUBLIC UTILITIES, UTILITY AND HYDRO COMMISSIONS IN ESSEX COUNTY

<u>Municipality</u>	<u>Utilities</u>	<u>Members</u>
Windsor U.C.	Water & Hydro	5
Amherstburg P.U.C.	Water & Hydro	5
Essex P.U.C.	Water & Hydro	3
Kingsville P.U.C.	Water & Hydro	3
Leamington P.U.C.	Water & Hydro	5
Anderdon P.U.C.	Water	5
Malden P.U.C.	Water	3
Belle River H.C.	Hydro	3
Harrow H.C.	Hydro	3
St. Clair Beach H.C.	Hydro	3

Public Utilities, Utility and Hydro Commissions have 5 or 3 members, of whom the Mayor or Reeve serves ex officio, the others being directly elected at the biennial local municipal elections.

There are a number of other local boards in the utilities field. The Amherstburg-Anderdon-Malden Water Board includes representatives of those three municipalities; it is responsible for allocating billings from the Ministry of Environment for the wholesale supply of water from the local water treatment plant. The Windsor and Tecumseh Joint Waterworks Board, which includes representatives from both municipalities, is responsible for the management of the water treatment plant and the wholesale distribution of it to parts of the City and the Town of Tecumseh.

Gosfield North has the sole remaining local telephone system in the County. The township council forms the Telephone Commission for the management of the system.

The Sandwich, Windsor and Amherstburg Railway Company was taken over by the City in 1970. The five man Board of Directors, including two aldermen, is appointed by City Council. The Company's operating deficits are paid by the Province of Ontario and the City. The existence of an operating deficit in recent years naturally results in City Council having a substantial degree of control over the policies of the Company.

The inability of members of the general public to understand the complexities of the existing structure is illustrated by the fact that we talked with a number of citizens who believed the S.W. & A. is a private company and urged me to propose that it be taken over by the City.

PLANNING BOARDS

The planning board is, in essence, an advisory body to the municipal council. It has particular responsibility for preparing the official plan and in conducting studies and hearings for this purpose. The planning board also provides advice on other planning matters. While the planning board does have statutory rights and duties, it is clearly subordinate to the municipal council which has the ultimate responsibility for planning.

Planning boards vary in size from 5 to 9 members who are appointed by municipal councils. In recent years the restriction on the appointment of council members to planning boards has been lifted and, as a result, their independence from the municipal

council has been evaded.

There are eighteen planning boards in Essex County. Four of these are joint boards, involving Harrow and Colchester South, Kingsville and Gosfield South, Leamington and Mersea, and Tilbury West and Tilbury North which along with the four border municipalities in Kent County are served by the Erie/St. Clair Planning Board.

COMMITTEES OF ADJUSTMENT

Committees of Adjustment consisting of 3 or 5 members serving for three year terms are appointed by the municipal council. They are independent bodies charged with dealing with applications for minor variances from the provisions of by-laws implementing an official plan or by-laws made under section 35 of the Planning Act, with applications for minor changes in the case of non conforming uses of land, buildings and structures, and, in some instances, applications for consents. Of the twelve Committees of Adjustment in the County, only ten have jurisdiction over consents.

There has been local controversy over certain decisions of local Committees of Adjustment, particularly in the City of Windsor. Elected representatives have charged that Committees sometimes fail to implement the planning policies laid down by Council by approving applications which do not deal solely with minor adjustments and which run counter to the policy of the Council. The Committee of Adjustment is not subject to the municipal Council except in so far as its membership is determined by the Council, which can if it chooses replace members it believes are

failing to support decisions in line with policies established by the Council. The only course of action open to the Council with respect to decisions it disapproves of is to appeal them to the Ontario Municipal Board.

TABLE 20: PLANNING BODIES IN ESSEX COUNTY

<u>Municipality</u>	<u>Planning Board</u>	<u>Committee of Adjustment</u>	<u>County Land Division Committee Jurisdiction</u>
Windsor	x	x	
<u>Towns</u>			
Amherstburg	x	x	x
Belle River	x		x
Essex	x		x
Harrow	Joint-Colchester South		x
Kingsville	Joint-Gosfield S.	Joint-Gosfield S.	
Leamington	Joint-Mersea	x	
Tecumseh	x	x	x
<u>Village</u>			
St. Clair Beach	x	x	
<u>Townships</u>			
Anderdon	x	x	
Colchester N.	x	x	
Colchester S.	Joint-Harrow		x
Gosfield N.	x		x
Gosfield S.	Joint-Kingsville	Joint-Kingsville	
Maidstone	x	x	
Malden	x	x	x
Mersea	Joint-Leamington		x
Rochester	x		x
Sandwich S.	x	x	
Sandwich W.	x	x	
Tilbury N.	Erie/St. Clair		x
Tilbury W.	Erie/St. Clair		x

LIBRARY BOARDS

The County of Essex Library system provides services to nineteen county municipalities under the direction of a County Library Board. In consequence, local library boards exist only in the City of Windsor, Belle River and Leamington.

The City Library Board is made up of the Mayor or his nominee, three appointees of City Council, three appointees of the Windsor Board of Education and two appointees of the Windsor Roman Catholic Separate School Board. The eight appointed members must be residents of the City and may not be members of the body appointing them. The Belle River and Leamington boards are made up of the Mayor and four residents of the municipality.

The Library Board is responsible for the general direction of the system but the municipal council does have the power to review and amend the annual budget without restriction. In consequence, library boards are, at least in policy matters, properly regarded as advisory bodies.

OTHER BOARDS

There are a number of other local boards which do not fit easily into any of the above categories. These include museum and cemetery boards and the whole parks and recreation field where there is considerable variety in structure. Often the formation of local community boards is determined not by the community's desire to create additional local agencies but by the necessity of creating such bodies if maximum financial assistance is to be obtained under provincial legislation.

Two important local agencies not discussed above are the

Amherstburg-Anderdon-Malden Pollution Control Board and the City of Windsor Housing Company. The Amherstburg-Anderdon-Malden Pollution Control Board is a joint authority responsible for the administration and operation of the sewage system serving the three municipalities. The City of Windsor Housing Company is a limited dividend housing company set up under the terms of the National Housing Act in 1952. Its Board of Directors has five members, including two City Council members, appointed by City Council. It is the formal structure used by the City to enable it to become involved in the provision of residential accommodation for elderly people.

APPOINTMENTS BY COUNCIL

Municipal councils make appointments to many other local bodies with which the municipality has limited direct contact. Municipal councillors or nominees of the council are sought after by local organizations as board members because of their experience and knowledge of community affairs.

There are two problems with the appointment of municipal councillors to such bodies. First, such appointments increase the workload on council members in some cases to an undesirable extent. Secondly, it is not always clear that council members who serve on the boards of local community organizations do so because they are knowledgeable and well known local citizens, not as representatives of the municipal council. This is a distinction which is not always clear to members of the public. However, it is an important one since it is wrong to assume that the presence of a municipal council member on a community board commits the

municipal council to the organization and its policies.

In the above discussion, I have not included the Windsor Housing Authority, the Essex County Housing Authority or the Essex County District Health Council among the ranks of local government agencies. In my view these bodies should not be regarded as such. The two Housing Authorities are in practice local subsidiaries of the Ontario Housing Corporation with a severely limited local role in managing local public housing units. While the City and County may suggest the name of one member of the seven man board of each Authority, they do not make the appointment. Apart from collecting 7½% of the operating deficit of the Authority from the City and County that is the extent of the formal relationship between local government and the Authority.

The Essex County District Health Council includes local representatives from a variety of local organizations but it has no formal relationship to local government bodies. It is in practice no more than a local advisory committee to the provincial Ministry of Health.

BOARDS OF EDUCATION

Local school boards have been affected by a series of reorganizations in the post World War II period of which the most radical was that which occurred in 1969. At that time, the local school boards in the County, outside Windsor, were amalgamated and the Essex County Board of Education and the Essex County Roman Catholic Separate School Board were created. As was the case in a small number of instances where a populous county was adjacent to a medium size city, the Windsor City boards remained in existence. The rationale for this

variation from the basic pattern of reorganization, in which County boards took over both the existing city and county systems, was that the new units created in Essex County were of sufficient size to enjoy the benefits of large scale organization without including the City school systems within them. All of the existing school boards manage a relatively large scale school system when compared with other jurisdictions in the province. Each board provides services to over ten thousand pupils. The smallest organization, the Essex County Separate School Board, operated twenty-seven schools in 1975. Each of the four school boards operates an organization which is of a different scale when compared with all other local government organizations in the area except the City of Windsor and County of Essex governments. The smallest of the four boards, the Essex County Separate School Board, had current expenditures in excess of \$8.3 million in 1974, while the Windsor Board of Education spent over \$34.8 million. The expenditures of the County Board of Education were larger in 1974 than those of the County and all twenty-one County municipalities combined. The Essex County Separate School Board spent more than the fourteen townships in the County combined in 1974. The total current expenditures of the four school boards was \$83.4 million in 1974 compared with \$72.3 million for the twenty-three municipal bodies in the County.

The eastern border of the County is not a definitive border for school purposes. Over two hundred secondary school students from Tilbury North and West attend Tilbury District High in Kent County while in the southern section of the County a similar number of secondary school students from Wheatley and Romney in

Kent County attend the Leamington District High School. A small number of pupils from Tilbury North and West attend the separate school in Chatham. Certain sections in both Kent and Essex counties come within the boundaries of the separate school districts of the neighbouring county and may direct their school support accordingly.

There is close cooperation between the Essex County boards in a number of respects most visably in their sharing of a common administrative building and in the jointly supported Media Centre. There are only limited contacts between the City and County boards but if the decision is made to go ahead with a French Secondary School in the County it will also take pupils from the City of Windsor.

There are few continuing contacts between the school boards and municipal councils except through informal contacts between councillors and board members. The very occasional joint meeting is held to discuss matters of common concern, but there is no systematic exchange of information and ideas. It is not at all uncommon in Ontario to find considerable tension between municipalities and school boards and some degree of competitive feeling between them. On the one hand, municipal councillors appear to feel that they have a general responsibility for local services within their municipality and particularly when a large proportion of the revenues raised for local taxation go to support a service. Many school board members regard such views with great disdain and are quick to point out that they are separately elected by the taxpayers and are in no sense subject to supervision by municipal councillors.

I have found that such tensions exist in Essex County, and to a lesser extent in the City; what one might describe as the traditional antagonism is a barrier to understanding and cooperation. In public meetings and hearings municipal politicians often took the lead in making criticisms of the school boards and in condemning the restructuring which led to the creation of the County boards. The degree of mutual understanding between school board members and municipal councillors is very limited. Neither group seems to regard it as an important part of their responsibilities to understand the policies and operations of the other. This is regrettable since close cooperation between local government bodies is clearly desirable and members of the general public expect local elected representatives to be able to offer advice and information on a range of local government matters. I found in particular that ordinary citizens made the assumption that municipal councillors would be aware of and accurate sources of information about school board activities. My own experience was that such an assumption was ill founded.

The Essex County Board of Education has eighteen members, twelve of whom are elected by public school supporters and six of whom are elected by separate school supporters to deal with secondary school matters. The Windsor Board of Education has a similarly divided membership with eight members representing public school supporters and five representing separate school supporters. The County Roman Catholic Separate School Board has fourteen members and the Windsor Separate School Board has eight members.

The electoral system for members of the City boards is relatively simple. The members of the Separate School Board and

the public school supporters on the Windsor Board of Education are elected by ward from the eight city wards. Separate school supporters on the Windsor Board of Education are elected at-large in the City. The system of electoral districts in the County is far more complex. School board electoral districts in the County are drawn so as not to divide municipalities and so as to equalize the representation according to equalized assessment (not population). In consequence, the electoral districts are distinctly odd, and are not uniform for the three groups of school board representatives. It should be stressed that the County electoral boundaries are the result of the best possible effort locally to meet the requirements set out in provincial legislation.

The districts are described in the following table:

TABLE 21: COUNTY SCHOOL BOARD ELECTORAL DISTRICTS, ESSEX COUNTY

Essex County Board of Education

Public School Supporters

<u>District</u>	<u>Municipalities Included</u>	<u># of Representatives Elected at large</u>
1	Anderdon, Sandwich W., Sandwich S.	2
2	Essex, Maidstone, Colchester N.	2
3	Belle River, Rochester, Tilbury N., Tilbury W.	1
4	Gosfield North, Gosfield S., Kingsville, Mersea, Pelee	4
5	Leamington	1
6	Amherstburg, Colchester S., Harrow, Malden	2

TABLE 20: (Cont'd.)

Separate School Supporters

<u>District</u>	<u>Municipalities Included</u>	<u># of Representatives Elected at large</u>
1	Colchester N., Sandwich W., Sandwich S., St. Clair Beach, Tecumseh	2
2	Essex, Gosfield N., Maidstone, Belle River	1
3	Rochester, Tilbury N., Tilbury W.	1
4	Gosfield S, Kingsville, Mersea, Leamington, Pelee	1
5	Amherstburg, Anderdon, Colchester S., Malden, Harrow	1
		<hr/> 6

Essex County Roman Catholic Separate School Board

<u>District</u>	<u>Municipalities Included</u>	<u># of Representatives elected at large</u>
1	Sandwich S., Tecumseh, St. Clair Beach	2
2	Maidstone, Belle River	2
3	Rochester	1
4	Tilbury North	1
5	Tilbury W., Mersea, Leamington	2
6	Essex, Gosfield N., Gosfield S., Kingsville	1
7	Colchester N., Colchester S., Harrow	1
8	Amherstburg, Malden	1
9	Sandwich West, Anderdon	3
		<hr/> 14

It is impossible to argue that electoral districts drawn in this manner facilitate the representation of the various sectors of the County or promote close contact between local representatives and constituents. The system is so complex that few ordinary citizens can be expected to understand it and school board members face an impossible task in attempting to represent all parts of their districts.

CHAPTER 4

THE EXISTING FINANCIAL STRUCTURE

The purpose of this chapter is to give a general outline of the existing financial situation of the municipalities in Essex County and some indication of the trends in the 1970 to 1974 period. At the time of writing, full financial information for all municipalities is not available for 1975. The audited accounts of all municipalities should be available for the year 1975 in the summer of 1976, although the Ministry of Treasury, Economics, and Intergovernmental Affairs, which checks municipal figures and provides some analysis of them is unlikely to publish its annual volume of municipal financial data for 1975 until January 1977. When this material becomes available, it will be a purely mechanical task for municipal officials to update the figures provided here.

I have not repeated here all of the financial data set out in Research Report #4. On occasion reference is made to specific tables included in that volume and some of the material in this chapter is a further refinement of data included in that Report.

ASSESSMENT

The tax base of municipalities in the County expanded in the 1970 to 1974 period. The increase in equalized taxable assessment was somewhat greater in the County municipalities than in the City, although additional assessment was unevenly distributed across the County. A better indicator of the financial capacity of a municipality than total assessment figures is the equalized

assessment per capita. In the 1970-74 period, this increased significantly in the City where population was virtually static. In the County municipalities, however, the overall increase in total equalized assessment barely kept pace with the increase in total population. In seven municipalities, the equalized taxable assessment per capita fell, thus reducing their effective capacity to meet the demand for services generated by increases in population.

The balance between residential and farm assessment and industrial, commercial and business assessment changed in the period 1970-74, as residential development proceeded at a faster rate than industrial and commercial development. The ratio between these two types of assessment deteriorated in nineteen of the twenty-two municipalities. That is to say residential and farm assessment, which is more costly to service than industrial, commercial and business assessment, became a larger fraction of total assessment. In consequence, the percentage of total local taxation raised by taxes on residential and farm properties increased over the area as a whole during these five years.

The following tables provide detailed information on the trends discussed above.

TABLE 22: TOTAL EQUALIZED TAXABLE ASSESSMENT BY MUNICIPALITY,
ESSEX COUNTY, 1970 AND 1974

Municipality	\$'000's		% Change
	1970	1974	
Windsor	1,714,098	1,882,619	9.8
Amherstburg	43,858	53,102	21.1
Belle River	19,398	23,162	19.4
Essex	23,320	27,741	19.0
Harrow	15,493	15,832	2.2
Kingsville	27,519	31,757	15.4
Leamington	88,805	95,007	7.0
Tecumseh	33,800	35,110	3.9
St. Clair Beach	17,827	18,400	3.2
Anderdon	46,196	50,479	9.3
Colchester North	21,927	25,958	18.4
Colchester South	41,724	43,698	4.7
Gosfield North	30,415	32,038	5.3
Gosfield South	54,262	61,200	12.8
Maidstone	104,547	115,970	10.9
Malden	34,032	37,288	9.6
Mersea	91,341	97,585	6.8
Rochester	34,947	40,112	14.8
Sandwich South	41,450	52,175	25.9
Sandwich West	82,851	111,574	34.7
Tilbury North	34,393	37,026	7.7
Tilbury West	9,892	10,588	7.0
Total	2,612,095	2,898,421	11.0
County only	897,997	1,015,802	13.1

Source: Province of Ontario, Municipal Financial Information,
1970, 1974.

TABLE 23: PERCENTAGE OF TOTAL EQUALIZED ASSESSMENT FOR CITY AND COUNTY BY MUNICIPALITY, ESSEX COUNTY, 1974

<u>Municipality</u>	<u>% of Total City & County Assessment</u>	<u>% of Assessment in County Only</u>
Windsor	64.953	N.A.
Amherstburg	1.832	5.228
Belle River	0.799	2.280
Essex	0.957	2.731
Harrow	0.546	1.559
Kingsville	1.096	3.126
Leamington	3.278	9.353
Tecumseh	1.211	3.456
St. Clair Beach	0.635	1.811
Anderdon	1.742	4.969
Colchester North	0.896	2.555
Colchester South	1.508	4.302
Gosfield North	1.105	3.154
Gosfield South	2.111	6.025
Maidstone	4.001	11.417
Malden	1.286	3.671
Mersea	3.369	9.607
Rochester	1.384	3.949
Sandwich South	1.800	5.136
Sandwich West	3.849	10.983
Tilbury North	1.277	3.645
Tilbury West	0.365	1.042

Source: Province of Ontario, Municipal Financial Information, 1974

TABLE 24: EQUALIZED TAXABLE ASSESSMENT PER CAPITA BY MUNICIPALITY,
ESSEX COUNTY, 1970 and 1974.

Municipality	\$ '000 's		% Change
	1970	1974	
Windsor	8,728	9,504	8.9
Amherstburg	9,050	9,239	2.1
Belle River	7,038	7,291	3.6
Essex	6,103	5,581	-8.6
Harrow	8,237	8,443	2.5
Kingsville	7,107	7,214	1.5
Leamington	9,144	8,939	-2.2
Tecumseh	6,821	7,035	3.1
St. Clair Beach	9,194	9,603	4.4
Anderdon	10,279	10,445	1.6
Colchester North	8,179	7,607	-7.0
Colchester South	9,237	9,268	0.3
Gosfield North	8,951	9,117	1.9
Gosfield South	9,307	9,192	-1.2
Maidstone	14,001	14,212	1.5
Malden	11,291	9,653	-14.5
Mersea	10,304	10,878	5.6
Rochester	10,100	9,868	-2.3
Sandwich South	9,319	10,269	10.2
Sandwich West	7,627	8,110	6.3
Tilbury North	13,466	12,619	-6.3
Tilbury West	5,923	6,601	11.4
Average County	9,225	9,296	0.8
Average County & City Combined	8,893	9,430	6.0

Source: Province of Ontario, Municipal Financial Information,
1970, 1974

TABLE 25: RATIO OF RESIDENTIAL AND FARM ASSESSMENT TO COMMERCIAL,
INDUSTRIAL AND BUSINESS ASSESSMENT BY MUNICIPALITY,
ESSEX COUNTY 1970, 1974

<u>Municipality</u>	<u>1970</u>	<u>1974</u>
Windsor	54:46	59:41
Amherstburg	49:51	51:49
Belle River	79:21	84:16
Essex	62:38	73:27
Harrow	55:45	62:38
Kingsville	70:30	75:25
Leamington	52:48	54:46
Tecumseh	73:27	76:24
St. Clair Beach	90:10	92:8
Anderdon	63:37	70:30
Colchester North	97:3	98:2
Colchester South	93:7	97:3
Gosfield North	87:13	88:12
Gosfield South	90:10	91:9
Maidstone	49:51	51:49
Malden	84:16	87:13
Mersea	88:12	87:13
Rochester	93:7	95:5
Sandwich South	78:22	75:25
Sandwich West	80:20	88:12
Tilbury North	87:13	89:11
Tilbury West	87:13	85:15

Source: Province of Ontario, Municipal Financial Information,
1970, 1974

TABLE 26: RESIDENTIAL AND FARM TAXATION AS A PERCENTAGE OF
TOTAL LOCAL TAXATION BY MUNICIPALITY, ESSEX COUNTY,
1970, 1974

<u>Municipality</u>	<u>1970</u>	<u>1974</u>
Windsor	46.7	53.9
Amherstburg	39.1	43.4
Belle River	73.7	76.9
Essex	55.5	61.7
Harrow	53.0	54.8
Kingsville	63.0	67.8
Leamington	45.0	48.1
Tecumseh	68.6	69.7
St. Clair Beach	88.0	85.2
Anderdon	59.2	62.0
Colchester North	85.8	90.7
Colchester South	79.5	85.3
Gosfield North	74.1	80.1
Gosfield South	79.3	75.3
Maidstone	32.1	30.9
Malden	74.3	81.5
Mersea	73.4	77.3
Rochester	83.8	87.7
Sandwich South	69.4	65.9
Sandwich West	71.7	81.9
Tilbury North	73.3	72.9
Tilbury West	69.2	76.4

Source: Province of Ontario, Municipal Financial Information,
1970, 1974

TAXATION

The Gross Tax Roll (the total of local tax levies) in the City and in County municipalities increased by 27% from \$59.16 million to \$75.21 million between 1970 and 1974. It increased by 29.7% in the City of Windsor, from \$43.13 million to \$55.95 million, compared with an increase of 20.12% for the County municipalities, from \$16.03 million to \$19.26 million.

In 1970 the burden of property taxes on individual taxpayers was reduced by payments made under the Province's Residential and Farm Tax Reduction Program. This Program was replaced in 1972 by the Ontario Tax Credits Program, which had the same effect but which is a more progressive tax program (that is it concentrates on providing tax relief for those with lowest incomes and the least ability to pay). While there are figures available for the tax relief granted to taxpayers in Essex County municipalities under the Residential Tax Reduction Program, there are no comparative figures available for individual taxpayers in Essex County under the Ontario Tax Credits Program. However, the total amount of tax relief granted under the latter program is larger than was granted under the former program for the province as a whole.

An additional form of tax relief from local property taxes of considerable significance in Essex County is provided under the Province's Farm Tax Reduction Program. Under this Program, farm taxpayers pay local taxes but may then claim from the provincial government 50% of the amount levied on the farm. In the fiscal year 1974-5 payments under this Program to Essex County farmers totalled \$1,568,840. In the townships in Essex County, these payments constituted 11.8% of the Gross Tax Roll in 1974.

The tax relief was, of course, not evenly spread but concentrated on farm taxpayers. The purpose of this tax relief program is to make farmers responsible for taxes paid on their residences but to reduce very substantially the local taxes paid on agricultural land.

TABLE 27: PAYMENTS MADE TO FARMERS UNDER THE FARM TAX REDUCTION PROGRAM, BY MUNICIPALITY IN ESSEX COUNTY, FISCAL YEAR 1974-5

<u>Municipality</u>	<u>\$</u>
Windsor	7,809
Amherstburg	Ø
Belle River	2,357
Essex	1,462
Harrow	2,922
Kingsville	3,669
Leamington	10,458
Tecumseh	913
St. Clair Beach	Ø
Anderdon	85,428
Colchester North	87,618
Colchester South	110,131
Gosfield North	111,337
Gosfield South	129,773
Maidstone	148,859
Malden	98,942
Mersea	332,449
Rochester	112,704
Sandwich South	76,230
Sandwich West	57,493
Tilbury North	131,542
Tilbury West	56,746
TOTAL	1,568,840

Source: Tabulation prepared by Ministry of Treasury, Economics & Intergovernmental Affairs, 1975.

If one takes into account the declining value of the dollar in the period January 1970 to December 1974, during which time the Consumer Price Index rose by 37.1%, the Gross Tax Roll for Essex County municipalities in 1974 in terms of 'constant' dollars was lower than that for 1970. Despite the increases in the total equalized taxable assessment and in the total population, the real value of local tax levies in Essex County fell in this five year period.

The proportion of the Gross Tax Roll collected for municipal, county and school purposes changed very little in the 1970-74 period. The proportion of the total tax levy for municipal purposes in the City of Windsor increased from 58.2% to 60.7% and the proportion for school purposes fell from 40.7% to 37% in this five year period. In the case of County municipalities, the proportion for municipal purposes increased marginally from 26.11% to 26.35%. In nine municipalities it increased; in twelve it decreased. The proportion for school purposes fell from 54.16% to 52.49%. In twelve municipalities the proportion for school purposes fell; in nine municipalities it increased. The proportion of total tax levies for County purposes decreased in seven municipalities and increased in fourteen municipalities, while overall there was a marginal decrease from 13.53% to 13.47% between 1970 and 1974.

The figures are not yet available for 1975 or 1976 but it is clear that the proportion of total taxes for school purposes will have increased in the later years owing to radical changes in the pattern of provincial assistance.

The Residential and Farm Taxation burden per capita is

one measure of the tax burden borne by local taxpayers. It can be used to give some idea of changes in the tax burden during the period 1970 to 1974.

Residential and Farm taxation per capita is calculated by dividing the total amount of local taxation paid on residential and farm assessment by the total assessed population. Thus it relates one form of local taxation to population and not (as in the case of the mill rate) the value of the property, the asset on which taxes are levied. It is of course an average figure and not the actual figure paid by an individual. Because of the change in the balance of assessment in most municipalities in Essex County, a higher proportion of local taxes was being paid on residential and farm assessment in 1974 than in 1970.

In addition, in some municipalities assessment expanded at a faster rate than population so that at a given mill rate the average residential and farm tax burden per capita is bound to increase.

It is extremely difficult to make useful comparisons of the residential and farm tax burden between townships and other types of municipalities. In townships much of the residential and farm assessment is on land used for business purposes - agriculture. In consequence, the taxes levied are a business expense not a burden on the individual taxpayer's disposable income. In addition, the Farm Tax Reduction Program means that the Province pays, out of general revenues, a substantial part of the local taxation levied on agricultural land. In the Township of Tilbury West, for example, 61.8% of total assessment was on farm property (74% of residential and farm assessment). The Province of Ontario paid municipal taxation on 50% of farm assessment; in 1974 this

amounted to \$56,746. This sum was 30% of the total residential and farm taxation collected in Tilbury West in 1974. Another factor which must be taken into account is that in some municipalities, such as Colchester South and Tilbury North for example, a significant amount of assessment is on cottages used by summer residents. While this assessment is included in the total of residential and farm assessment, the assessed population figure includes only permanent residents.

As can be seen from the discussion of the difficulties described in using mill rates and residential and farm tax burden per capita, it is impossible to find any general measure which can be used without many qualifications to compare levels of taxation in different municipalities. None of the above discussion, of course, relates level of taxation to the benefits received.

PROVINCIAL GRANTS

The Ontario Government provides a very wide range of grants and subsidies in support of local services provided by the municipality, the County, school boards and other local agencies. These grants are of different types and are aimed at serving a range of purposes.

General unconditional grants are designed to provide funds in support of general municipal activities, thus relieving the local taxpayer of some part of the burden of supporting local services. All of these grants are related to the needs of municipalities. In some cases, such as the per capita grants, the relationship to need is a simple one. Need is measured by the population of the municipality and by its overall size, since

TABLE 28: RESIDENTIAL AND FARM TAX BURDEN PER CAPITA BY
MUNICIPALITY, ESSEX COUNTY 1970 and 1974

(Calculation: Residential and Farm Taxation ÷ by assess. Population)

<u>Municipality</u>	<u>1970 \$'s</u>	<u>1974 \$'s</u>	<u>% Change 1970-74</u>
Windsor	99.40	152.45	53.4
Amherstburg	83.25	93.90	12.8
Belle River	68.54	101.36	47.9
Essex	69.29	91.82	32.5
Harrow	74.21	100.05	34.8
Kingsville	97.22	113.92	17.2
Leamington	81.53	90.35	10.8
Tecumseh	80.85	108.28	33.9
St. Clair Beach	113.26	145.49	28.5
Anderdon	97.63	121.28	24.2
Colchester North	102.00	97.01	-4.9
Colchester South	91.89	132.73	44.4
Gosfield North	93.19	123.21	32.2
Gosfield South	104.77	115.26	10.0
Maidstone	64.14	71.26	11.1
Malden	108.74	156.64	44.1
Mersea	116.68	145.28	24.5
Pelee	182.47	314.15	72.2
Rochester	113.71	135.38	19.1
Sandwich South	73.11	100.47	37.4
Sandwich West	80.54	137.34	70.5
Tilbury North	168.44	180.49	7.2
Tilbury West	109.64	117.57	7.2

Source: Province of Ontario, Municipal Financial Information,
1970, 1974

slightly higher average per capita payments are made to municipalities with larger populations. The highest average per capita payments are made to regional municipalities. Other general grants are related to needs in more sophisticated ways, being related to such factors as the capacity of the municipality to raise local taxes as measured by equalized assessment per capita.

Specific grants are made by the municipality to support particular services and to relieve local taxpayers of the burden of financing them. These are designed to encourage a municipality to offer a local service at a certain standard. The extent to which specific grants are used to 'steer' municipal expenditure varies between grants. Specific grants are related to needs, again in a variety of ways. In some instances, as with library grants, the measure of need is total population and to a very limited degree the nature of the library system. In the case of grants for local welfare services, the existence of a provincial commitment to pay a certain percentage of the costs which covers a substantial part of approved expenditures makes the relationship to need a much closer one. The needs relationship in specific grants is primarily a reflection of need for services rather than needs measured by the capacity to raise taxes.

The grants in support of educational services reflect both types of 'needs' and vary between school boards, to take account of the demand for services and the capacity of local governments to raise funds through local property taxation. Like other specific grants, they are designed to assist local boards of education in offering a certain level of service regarded as desirable by provincial authorities. The great emphasis given to

equalization of resources between different parts of the province is testimony to the desire of the provincial authorities to ensure that educational opportunities are equalized across the province.

It is quite true, of course, that whether funds are raised through local or provincial taxation they have to be collected from the taxpayer. However, the Province has the capacity to raise taxes from a wide variety of sources, many of which can be used for progressive taxation (that is to say relate the level of taxation to the ability to pay). The municipalities have very limited access to tax sources, and their major source of revenue, the property tax, is a regressive one (that is to say it relates the level of taxation to ability to pay to only a limited extent). In consequence, a general shift of the financing of local services towards provincial grants rather than local taxation makes it more likely that costs will be borne on the basis of ability to pay.

Provincial financial assistance towards the operating costs of municipalities, the County of Essex and to school boards increased substantially between 1970 and 1974. Not only did the level of grants increase but also the proportion of municipal, county and school board expenditures covered by grants increased, as is shown in the following tables. This trend has now been stopped and, while the absolute amount of grants provided in 1976 may increase, the proportion of local expenditures met by grants will not do so, particularly in the case of school board expenditures.

TABLE 29: PROVINCIAL GRANTS TO MUNICIPALITIES IN ESSEX COUNTY
AS A PERCENTAGE OF OWN REVENUE FUND EXPENDITURES, 1970,
AND 1974.

Municipality	1970 %	1974 %	1974 \$'s per Capita*
Windsor	16.6	27.7	75.09
County of Essex	48.2	50.9	28.42
Amherstburg	11.9	21.3	33.40
Belle River	23.3	39.6	33.05
Essex	18.0	26.7	40.63
Harrow	20.8	28.5	40.00
Kingsville	15.1	28.0	37.26
Leamington	11.4	18.8	27.76
Tecumseh	19.0	25.0	28.85
St. Clair Beach	17.2	25.6	22.96
Anderdon	23.2	25.1	26.90
Colchester North	34.0	50.4	35.46
Colchester South	25.8	32.5	34.57
Gosfield North	31.3	36.3	29.31
Gosfield South	27.9	26.1	20.58
Maidstone	29.1	25.3	33.16
Malden	27.9	24.2	27.70
Mersea	32.5	32.7	33.77
Rochester	36.3	23.3	17.96
Sandwich South	35.6	30.6	20.27
Sandwich West	13.4	25.4	28.86
Tilbury North	26.9	16.3	25.90
Tilbury West	26.5	31.0	63.59
County Municipalities in total	22.0	26.6	32.80
County Municipalities + County of Essex in total	30.4	34.7	61.22

*Calculation: total Ontario Grants 1974 ÷ Assessed population

Source: Province of Ontario, Municipal Financial Information,
1970, 1974

TABLE 30: PROVINCIAL GRANTS TO SCHOOL BOARDS IN ESSEX COUNTY
AS A PERCENTAGE OF REVENUE FUND EXPENDITURES,
1970 AND 1974.

	<u>1970</u>	<u>1974</u>
Windsor Board of Education	44.2	50.3
Windsor (R.C.) Separate School Board	79.8	81.4
Essex County Board of Education	50.0	61.4
Essex (R.C.) Separate School Board	78.8	81.1
Total	55.6	62.7

Source: Final Reports of School Boards 1970, 1974

REVENUE FUND EXPENDITURES

The total own revenue fund expenditures of municipalities in Essex County increased from \$46.34 million to \$71.96 million between 1970 and 1974, an increase of 55%. In this same period, the own revenue fund expenditures of the four area school boards increased from \$63.36 million to \$83.41 million, an increase of 31.6%. The differential between the percentage increase in total expenditures and the lower percentage increase in local tax levies shows, in part, the impact of increased provincial financial assistance in the financing of local services. In 1975 and 1976, it appears that school board expenditures have risen more rapidly than municipal ones.

A detailed breakdown of the pattern of expenditure for each municipality in 1970 and 1974 is given in Tables 13 and 13A, Research Report #4. While the pattern of expenditures changed substantially in some individual municipalities, the overall

pattern showed less dramatic shifts. Social and Family services, which concerned only the City and County, assumed a more important position in the budgets of both corporations. The percentage of total own expenditures on family and social services increased from 12.6% to 16.7% in the City of Windsor and from 36.8% of County expenditures to 49.3%, between 1970 and 1974. The proportion of total expenditures on environmental services increased in a majority of instances as did those on planning and development. However, in the latter instance the absolute amounts involved were small, with only one municipality spending more than 2% of its budget on this function in 1974 and half of the municipalities spending less than 1%. The proportion of expenditures on transportation services, a major expenditure category, fell in the majority of municipalities. The most uniform change was in the general government category. The proportion of expenditures on central administration increased in the majority of municipalities, including every township in the County. During this same five year period the percentage of total revenue fund expenditures devoted to general government in the City of Windsor fell from 10.1% to 8.4%. Whereas general government expenditures absorbed one of every six dollars spent by townships in 1974, only one dollar in every twelve spent by the City and one dollar in every twenty spent by the County was spent on this function.

Table 31 indicates the level of municipal expenditures per capita in each municipality in 1970 and 1974. Different municipalities provide a different range and quality of services; these will be reflected in expenditures per capita. One major service which some municipalities provide which others do not is local policing. The expenditures involved in providing

this service are substantial and I have indicated on the following table each municipality's involvement with this service. The County of Essex provides services to residents in each of the County municipalities which are provided in the City by the municipal government.

CAPITAL EXPENDITURES

Municipalities find it necessary to purchase equipment and land and build roads and facilities in order to provide local services. They must, therefore, make capital expenditures to pay for these durable assets.

Capital expenditures are financed in a variety of ways. Small capital expenditures may be paid for out of current revenues. A municipality anticipating capital expenditures can save for it by creating a reserve fund or funds and build these up from current revenues over a period of time. An alternative is to borrow money from another government or on the open market to finance a durable asset that is then paid by levying taxes or charges on those who benefit from the use of the asset over a period of time. All of the municipalities in Essex County make capital expenditures and finance them in these ways, although there are differences in the scale of their capital expenditures and in the use they make of the various methods of financing for capital expenditures. Municipalities also receive assistance in meeting capital expenditures through subsidies from the provincial government and to a small extent from the federal government. (See Table 18, Research Report #4.)

In recent years, a number of Essex County municipalities

TABLE 31: OWN MUNICIPAL REVENUE FUND EXPENDITURES PER CAPITA
BY MUNICIPALITY IN ESSEX COUNTY, 1970 AND 1974.

<u>Municipality</u>	<u>1970</u> \$s	<u>1974</u> \$s	<u>% Increase</u>
Windsor	172.03	270.60	57
County of Essex	41.48	55.85	35
Amherstburg	159.44	157.43	-1
Belle River	59.20	83.26	41
Essex	116.28	152.25	31
Harrow	101.88	140.18	38
Kingsville	116.18	132.84	14
Leamington	98.88	147.58	49
Tecumseh	71.37	115.34	62
St. Clair Beach	69.06	89.56	30
Anderdon	82.41	107.23	30
Colchester North	74.52	70.20*	-6
Colchester South	80.48	106.25+	32
Gosfield North	62.96	80.86*	28
Gosfield South	50.93	78.80+	55
Maidstone	86.66	91.68+	6
Malden	80.83	111.13	37
Mersea	84.14	103.46	23
Rochester	65.29	76.89*	18
Sandwich South	48.53	66.41*	37
Sandwich West	82.65	112.92	37
Tilbury North	169.83	159.33*	-6
Tilbury West	113.20	204.96*	81

*These municipalities make no local expenditures for local policing.

+These municipalities make expenditures for policing over only part of the municipality.

Source: Province of Ontario, Municipal Financial Information,
1970, 1974

have also been involved with provincial agencies in the construction of sewage and water supply facilities. The provincial authorities have constructed facilities to provide local services and financed their construction out of provincial funds. However, the local share of the costs involved is effectively a debt of the municipality since under an agreement with the province it must provide the funds to finance and retire the debt.

The area's school boards also make substantial capital expenditures financed by using the same range of sources as municipalities. The province makes substantial grants in support of these programmes. The serving of the net debt of school boards is the responsibility of local taxpayers and must be taken into account when examining the debt position of municipalities.

The net debt of a municipality is the amount of general municipal debt plus municipal enterprise debt. The general municipal debt is serviced from the revenue fund of the municipality. This may involve revenues raised through the general mill rate or, where only certain groups or individuals benefit from particular capital expenditures, revenues raised through area mill rates and special charges. Municipal enterprise debt is normally serviced by revenues raised by user charges.

Much of the general municipal debt in the townships was incurred for the benefit of particular farmers or groups of individuals and thus servicing it is not a charge on the general mill rate. A substantial part of the debt of the townships is for tile drainage loans to individual farmers. In the cases of the City and towns in the County, a significantly larger proportion of capital expenditures are for the general benefit and

TABLE 32: TOTAL MUNICIPAL NET DEBT AND UNFINANCED BALANCE IN CAPITAL FUND BY MUNICIPALITY IN ESSEX COUNTY, 1974.

Municipality	Total Municipal Net Debt \$'000's	Unfinanced Balance, Capital Fund \$'000's	Net Debt + Unfinanced Balance, Capital Fund per house- hold \$
Windsor	51,796	14,556	980
Amherstburg	903	457	808
Belle River	1,103	13	1,078
Essex	681	0	428
Harrow	395	0	621
Kingsville	995	41	662
Leamington	2,575	908	949
Tecumseh	390	58	302
St. Clair Beach	2	0	3
Anderdon	643	34	514
Colchester N.	188	16	205
Colchester S.	157	57	91
Gosfield N.	548	105	615
Gosfield S.	702	60	299
Maidstone	1,156	106	471
Malden	404	103	338
Mersea	1,672	593	704
Rochester	809	21	609
Sandwich South	243	55	225
Sandwich West	895	26	403
Tilbury North	634	87	738
Tilbury West	421	0	814
County of Essex	2,018	0	88

Source: Province of Ontario, Municipal Financial Information, 1974

thus a charge on the general mill rate. (A detailed listing of the net debt of municipalities in 1974 is given in Table 20, Research Report #4.) The proportions in each category, debt charges on the general mill rate, on area mill rates or met by special charges, varies widely between municipalities. However, the principle for allocation is the same; debt charges are met by payments made by those benefiting from capital expenditures.

Whether the burden of debt charges are met from general or non-general levies on the municipal taxpayers, the municipality is responsible for the debt incurred. The capacity of a municipality to borrow additional amounts of money depends on the total amount of debt. Whether much of the debt is for services which benefit only limited numbers of taxpayers or for services of general benefit, the capacity of the municipality to finance future debts depends on the capacity of local residents to pay the costs associated with it.

There are a number of measures of the current debt level of a municipality in relation to its capacity to raise funds by further borrowing. The most useful of these is probably that which relates current debt levels to the size of the tax base of the municipality. That is net debt which must be borne by municipal taxpayers as a percentage of the equalized assessment of the municipality. The following table provides a reasonably comprehensive picture of this measure by showing municipal net debt, unfinanced balance in the Capital fund, County total net debt and school net debt as a percentage of equalized assessment for each municipality.

One important omission from this table is the debt the

municipality is responsible for servicing for provincial water and sewage treatment facilities built and financed by provincial authorities. While the debt involved is technically a provincial one, the municipality has made an agreement to service it. The Ministry of the Environment has provided us with figures showing the outstanding debt to be paid by the municipality on provincially financed projects. Because of the length of time involved in carrying out the financing of capital works, the numerous recent projects in the smaller municipalities do not show up in these figures. The listing in Appendix 3 does, however, give an indication of the magnitude of these debts in comparison with what shows up in the financial statements of the municipalities as their net debt. It also indicates which municipalities are currently involved in major projects which are being financed by the province.

The Ministry of Treasury, Economics and Intergovernmental Affairs has published the following statement on the relation of present debt to the capacity to raise funds by future borrowing:

"Unused debt capacity can be calculated as the difference between present debt as a percentage of equalized assessment to the appropriate debt/assessment ceiling for the type of municipality under consideration. Commonly accepted ceilings are 10% in the case of restructured two tier areas and cities, 9% for towns and villages and 8% for townships and improvement districts."

Province of Ontario, Municipal Financial Information, 1974, p. XVIII.

TABLE 33: TOTAL MUNICIPAL NET DEBT, UNFINANCED BALANCE IN CAPITAL FUND, COUNTY NET DEBT AND SCHOOL NET DEBT - EACH AS A PERCENTAGE OF EQUALIZED ASSESSMENT, MUNICIPALITIES IN ESSEX COUNTY, DECEMBER 31, 1974

Municipality	Municipal Net Debt	Unfinanced Balance in Capital Fund	County Net Debt	School Net Debt
Windsor	2.7	0.8	0	1.8
Amherstburg	1.7	0.9	0.1	2.4
Belle River	4.7	0.1	0.1	2.9
Essex	2.4	Ø	0.1	2.3
Harrow	2.4	Ø	0.1	2.3
Kingsville	3.1	0.1	0.1	2.3
Leamington	2.7	1.0	0.1	2.2
Tecumseh	1.1	0.2	0.1	2.8
St. Clair Beach	Negl.	0	0.1	2.5
Anderdon	1.2	0.1	0.1	2.5
Colchester N.	0.7	0.1	0.1	3.1
Colchester S.	0.3	0.1	0.1	2.4
Gosfield N.	1.7	0.3	0.1	2.2
Gosfield S.	1.1	0.1	0.1	2.3
Maidstone	0.9	0.1	0.1	2.3
Malden	1.0	0.3	0.1	2.4
Mersea	1.7	0.6	0.1	2.3
Rochester	2.0	0.1	0.1	2.8
Sandwich S.	0.4	0.1	0.1	2.6
Sandwich W.	1.3	Negl.	0.1	2.6
Tilbury N.	2.1	0.2	0.1	2.8
Tilbury W.	3.9	0	0.1	2.3

Sources: Province of Ontario, Municipal Financial Information, 1974 and information provided by area School boards.

CHAPTER 5

THE CASE FOR REFORM

The case for the existence of local government is based on the recognition that local communities are different from each other. As a result, they have different needs and preferences which should be reflected in local services. Local governments are the means by which local communities provide services which can be managed most efficiently and responsively with due regard for special local circumstances on a local basis. There are no precise dividing lines which allow one to determine what government services are best dealt with by national, provincial or local governments. Neither is it possible to contemplate a situation in which governments on the various levels can operate as autonomous units. All three levels provide services and regulate the activities of a common body of citizens. If they are to carry out these tasks effectively and economically, they must cooperate together and to some degree share responsibility for the results. To take one simple example. All levels of government are interested in the transport of goods and people. The federal government's concern is with a national system which allows for transport between provinces and between Canada and other countries. The provincial government's major concern is with the movement of people and goods between communities within the province. The local government's responsibility is to provide the facilities of transportation within the local community's boundaries. Obviously the three levels of government must cooperate to ensure that the

facilities they provide complement each other. The various elements of the transport system can be used for different purposes and there is no precise way of determining whether certain facilities would be regarded as a national, provincial or local facility. Highway 3 which runs right across Essex County carries international and interprovincial traffic; it is used by vehicles carrying goods and people from Essex County to other parts of the province and it is also an important part of the local community transportation network. It is a part of the provincial highway network but any changes in it must be made with due reference to the effect these would have on national and local concerns.

There is no obvious factor which determines whether a particular power should be assigned to the provincial or local government. However, common sense would suggest that local government should exercise those powers which involve the provision of services which must be specially tailored to local conditions and circumstances and those which require close and continuous contact between individual citizens and public officials. Obviously many services which fit into this category are also of concern to the national and provincial governments involved with promoting national and provincial policies to uphold minimum standards and uniform treatment of citizens. Many local government activities can only be carried on effectively by sharing power, costs and responsibility with other levels of government. In recent years the balance of power over and responsibility for what have traditionally been regarded as matters of primarily local concern has shifted. Provincial agencies have assumed a larger degree of authority over such matters. The significance of local governments

as community governments has been undermined. If local governments are to be more than simply convenient units for the administration of policies established by provincial agencies, this trend must be stopped and reversed.

Local self government in which local people make important decisions about the range and level of services which are to be provided in the local community can only mean something if local government bodies have significant power to decide things for themselves and have a substantial impact on provincial policies affecting their community. One must be careful not to confuse the trappings of local self government - elections, council meetings and so on - with the reality of the genuine power in the hands of elected representatives to make decisions having a substantial impact on the community's life. Many people in Essex County are aware of the extent to which the policies and detailed supervision of provincial agencies have reduced local decision-making authority in particular services. Indeed I found a great deal of dissatisfaction with this development and much criticism of the failure to pay due attention to local circumstances and conditions in the implementation of provincial policies. This was linked with a great deal of cynicism about provincial claims to be responsive to local proposals and suggestions. However, very few people seemed ready to recognize the cumulative effect of these developments and to make a realistic appraisal of the existing local government structure or to consider the means by which this clearly established trend could be reversed.

To insist on the preservation of the existing local government structure involves the acceptance of a situation in which

capacity of local residents to affect the manner in which services will be provided will be continually eroded. The trappings of local authority can be preserved but power to make and affect decisions will go elsewhere. To seek to preserve the existing structure in the name of the protection of local autonomy and to protect local identity is to misunderstand the present situation entirely and is clearly a contradictory position. In the face of a new set of circumstances, local government structures must be changed to increase the capacity of the Essex County community to take a larger role in its own self government. At present, Essex County has local government structures but little in the way of local self government. Local politicians, officials and residents delude themselves if they believe that by some grand defence of existing structures and procedures they can resist increased central direction and control of their affairs. The choice is a clear one: you must face the realities of the twentieth century and change structures and procedures to take account of them or you must give up any thought of local governments effectively exercising even the fragmented authority and influence they presently hold.

Even with a substantial reform of structures and procedures, the prospects for local community governments exercising a significant amount of authority in community affairs are not particularly good. The revival of genuine local self government must start with structural reform but it cannot end there. Power and influence over local affairs and the capacity to exercise them involves senior levels of government surrendering authority they have grown used to exercising and financial resources they have many competing claims on. Such a surrender will occur only if the

local governments are able to prove to everyone their capacity to exercise more power and if they can marshal political pressure on senior levels of government. The one great advantage local governments hold is the uncertainty that senior levels of government have about the wisdom of assuming greater power over local affairs and having to take responsibility for the exercise of that power. National and provincial governments have observed that it is extremely difficult to make and implement provincial policies in many fields which are responsive enough to local conditions to satisfy local citizens. In recent years the growth of local advisory committees and the attempts of provincial agencies to decentralize their operations is testimony to this concern with the danger of accepting responsibility for an ever increasing range of local services. My own view is that by and large such efforts have mainly been attempts to decentralize and spread responsibility rather than authority. I share the cynicism expressed at many of my meetings in Essex County about the extent to which local consultative or advisory bodies established by provincial and national departments and agencies involve any real transfer of influence let alone authority. The acid test is the extent to which local bodies have been given power to raise and spend funds locally. There have, in fact, been no serious attempts to transfer powers over the raising of revenue to local bodies. Only the emergence of a strong multifunctional local body elected by and representative of the local community, with its own access to expert opinion, will be strong enough to exercise influence and authority rather than simply provide a facade of local consultation. The proposals made here for local government reform are to create such bodies.

How has local government fallen on such hard times and come to assume more and more of an agency role in relation to the provincial government? In all highly mobile urbanized industrial societies, government has extended the range of its activities whatever the philosophical position of the government in power. Public demands on government to extend the range of its activities have grown as it has become obvious that private initiative and provision have been unable to cope with supplying an adequate physical and social infrastructure. Collective action through governments has become a more pervasive force in urbanized industrial societies. The level of government services has become a more and more important determinant of the standard of living of ordinary Canadians. What does it profit a man to own a house, an automobile and to have healthy well dressed children if his house is surrounded by smelly noisy industrial plants, if the roads on which he can drive his automobile are non-existent or in bad repair or if his children are unable to obtain a first class education. His standard of living is as dependent on collective action leading to the provision of public services as private action leading to the acquisition of personal goods and services.

As public services financed from taxation have increased in significance as a determinant of a community's standard of living, the demand for uniform minimum standards in the provision of these services across the nation and the province has increased. In consequence, senior levels of government, which have the powers of taxation to finance the extended range of services and the legislative power to promote uniformity of treatment over wide areas, have encroached on the traditional jurisdiction of local

governments. The movement for uniform minimum standards across the nation and province has made it inevitable that provincial governments in particular will exercise considerable supervision over local governments. Again this is a trend which one finds in other urbanized industrial countries. However, the extent and depth of that supervision is also related to the capacity of local governments to respond to public demands and share in the provision of new higher quality services.

While there have been massive reforms in the structure of the federal and provincial governments in response to new demands, the same has not been true in the local government field. The basic structure of local government, its methods of carrying on business, and the fragmentation of power at the local level have been subject to only piecemeal reform. Provincial governments which have the power over and the responsibility for local government structure have not moved quickly to restructure local government to fit it for a new and enhanced role in the governmental system. Their reluctance has been based, in part, on fear of the political consequences of upsetting the existing local power structures and their supporters involved in them. They have recognized the very limited capacity most local politicians and officials have shown for self examination of the structures they work with. On the other hand, provincial governments have been concerned to retain control of new programmes themselves.

The existing state of local government provided provincial governments with the excuse for not assigning new powers to it and for incursion into traditional areas of local government authority. Provincial politicians and officials could point to the lack of

relevance of existing municipal boundaries to the social and economic divisions in Ontario, the maldistribution of functions between the levels of local government, the lack of public interest and participation in municipal affairs (exemplified by the low percentage of voters turning out to vote in local elections compared with the turnout in provincial elections) and the lack of expert staff at the local level to deal with new programmes. This is a convincing case. This lack of confidence in the capacity of local governments was clearly shared by many citizens who had little knowledge or interest in them. Some local politicians and officials recognized the dilemma and have sought reform but the majority have resorted to rather sterile grumbling at the spread of provincial power and merely sought to resist it in respect to particular services and situations. Lacking the political support and the specialist advice to make a good case, they have proved to be ineffective opponents.

For a long period of time, provincial governments put off dealing with local government reform. They wished to see new programmes and policies put into effect with some speed. They could do this by bypassing existing local government bodies or reducing them to virtually powerless local agents (in the social services field, for example). The alternative course of major reform of local institutions was bound to be time consuming and politically difficult and would not produce quick results in policy terms. There were some exceptions to this policy; the local government of education in Ontario was remodelled by provincial government fiat but the political consequences of this action only confirmed the political fears of provincial governments.

Almost everywhere in Canada, and in Ontario in particular, governments began to come to the conclusion that local government reform could not be postponed much longer. The pace of innovation in new programmes was slowing down. Many of the new programmes were difficult to implement effectively without proper attention to particular local conditions and local input. Then too the burden of responsibility for difficulties with the detailed implementation of new programmes turned out to be a heavy one and provincial authorities were not adverse to sharing it with local governments. Still the provincial government, prodded by expert analysis of the situation such as that contained in the report of the Ontario Committee on Taxation, moved slowly and tentatively. Reforms were made only after extensive study and a great deal of local consultation and only in the areas where local governments clearly lacked the capacity to deal effectively with rapid urban development. While in certain areas there was considerable local support for change, the province moved ahead in some areas with reforms even where this was lacking. The new urgency came primarily from the new grasp of the fact that if the provincial government did not reform local governments in these areas it would itself have to assume an even greater degree of responsibility and particularly financial responsibility for local services. The extra funds provided to newly reformed areas were not an example of provincial largesse. They were an attempt to clear up existing problems and make investments for the future. The alternative for the province was to have to move in later and clear up at considerably greater expense the consequences of allowing problems to develop unchecked. The province had plenty of experience of this during the nineteen

sixties as it had to provide massive funding to small municipalities unable to cope with the provision of clean water and adequate sewage facilities for small urban settlements which had grown up haphazardly in previously rural areas. The situation facing the province was a simple one in reformed areas as it was in many unreformed areas: pay now or pay more later.

In the past two or three years, the Province of Ontario has slowed the pace of reform without any indication of a change in what it seeks to gain from it. This slackened pace has been explained by reference to differences in the magnitude of the problems facing the local governments in areas where reform has not occurred as compared with the reformed areas. I have found considerable skepticism in Essex County with this explanation. Two other factors appear to be important to me. First, the provincial government has reacted to the political unrest inevitably created when an established political structure is seriously disturbed. Secondly, in the present period of economic recession when restraint in public expenditures has become an important political issue, there is a reluctance to increase commitments by the province and a desire to reduce the burden of taxation. These latter policies become ends in themselves in the short run. Arguments about current expenditures being desirable in order to forestall even larger expenditures in the future naturally have little force with politicians who must respond to public pressure and be concerned with elections.

THE AIMS OF REFORM

In examining the existing structure of local government in Essex County, I have come to the conclusion that some restructuring of local government is a matter of urgent importance. As I have explained above, the general situation in which local governments have had to operate in recent years and the retention of the present structure have seriously undermined their capacity to act as community governments with a significant degree of decision-making power. In the following paragraphs, I outline the major aims which I believe a reform should seek to advance.

RESPONSIVENESS AND PARTICIPATION

The responsiveness of government and public participation in it are linked because a government which is incapable of attracting the involvement of citizens will be unlikely to be responsive to the community's wishes and preferences. The whole argument for a strong local government system rests on the premise that it is best capable of reflecting local conditions and circumstances because of the close contact between local representatives and officials and members of the community.

In order to attract citizen involvement, local government boundaries must be relevant to the living patterns actually in existence in the community. Municipalities whose territorial definition is irrelevant to the pattern of social and economic life of the mass of the community are extremely unlikely to attract the interest of ordinary citizens.

If the vast majority of the public has little understanding of the complex relationships between a variety of local government

agencies, it is unlikely to participate vigorously in their activities. At present there is a great deal of fragmentation of power among local agencies and complex relationships among the municipalities. A major aim of reform must be to simplify the local government structure so that the lines of responsibility for public policies are more clearly defined and are understandable to people without specialist training. The present fragmentation of power and the proliferation of local government agencies represent a serious barrier to public involvement and understanding.

Members of the public will not expend time and energy in local political activities unless they can clearly see that local governments have a significant amount of power to make or contribute to making decisions on public policies. Power and its use attract interest and involvement. By strengthening certain local government bodies you increase public interest in them and increase their capacity to be responsive to public requests.

No changes in the structure of government or the decision-making process will promote public participation and responsiveness unless they fulfil one other condition. They must promote openness in government. Members of the public should have the fullest access to information on public business and the manner in which it is carried out. Public bodies not only have the obligation to release information and allow observers to see how it is used but also the obligation to see that information is presented in a form which makes it comprehensible to ordinary people. In short, they must make positive efforts to make the information on which decisions are made available to the general public.

Public participation is so crucial to the operations of local government that all changes in structure and procedure proposed to meet other objectives must be specially examined in the light of the effect they will have on this. The creation of a local government system which can deliver services with great technical efficiency in the most economical manner is a highly desirable aim. However, if this structure fails to promote public participation in the conduct of public affairs, it is not acceptable as a local government structure. In fact since the purpose of local government is to provide services in a manner which reflects local conditions and preferences, its efficiency must be measured not by purely technical standards but also in terms of its responsiveness. Efficiency in the conduct of private business and of public business is measured by different criteria. In private business, it can be measured by the simply quantifiable figures for profit and loss. In the conduct of public business, it must be measured in the much less easily quantifiable terms of public support and satisfaction with the local political structure.

In consequence, reforms in the local government structure must not produce local government bodies which are viewed by the general public as alien institutions. The pace and extent of reform is limited by the public's capacity to accept and support change. This suggests that new structures and procedures must be created which reflect the existing trends in the County and which make use of familiar symbols and practices. In short, reforms must be gradual and cumulative. Very dramatic breaks with past patterns of local government may promote technical efficiency

but they run the risk of alienating the general public from their own community institutions.

SERVICE AREAS

If a municipality is to operate services efficiently, its boundaries should as far as possible coincide with the natural boundaries for the provision of the major functions it is responsible for. Where the municipality is a natural service area, it can avoid the duplication of facilities which occurs when more than one municipality operates within the area and is also in the best position to spread costs equitably among those who benefit from the service. New services and extensions can be planned on a rational basis without jurisdictional disputes and time consuming negotiations. Political responsibility is also most clearly defined when one authority services the whole area.

It has been recognized in the local government of Ontario that the natural service area for all local government services cannot be defined by a single set of municipal boundaries. Thus the two level system of county government was created: one level concerned with providing services over an extensive area, and the local municipality serving a local community within the county. Major cities with extensive areas were separated in the belief that they could efficiently service the territory within their own boundaries and for the political reason that they might dominate the larger community. Over time the division of functions between the County and the local municipality has changed in response to the changing nature of the problems in providing services. Also the City has become less separated as the efficient delivery of

certain services has required intermunicipal cooperation between City and County. These changes have occurred in piecemeal fashion as have individual boundary changes within the County.

A major aim of reform is to bring the boundary lines between local municipalities and of the County into close correspondence with the boundaries of service areas and to allocate service functions in a rational manner. .

FINANCES

Local services are financed through local taxation, provincial subsidies and grants and user charges. The structure of local government should promote the effective use of public funds, that is the highest return in terms of service for the dollar expended. It should assure equity in the distribution of taxes and the benefits received from the services provided. It should enable public bodies to determine the priority to be assigned to services and to spend the limited amount of funds available in accord with that determination. Finally, it should enable municipalities to plan for the future so that reliable estimates can be made about the financial consequences of continuing and expanding local services.

The maximum return for expenditures can only occur when rational service areas are in existence allowing for the maximum use of the facilities and personnel available. When taxable resources are unevenly distributed between municipalities, people have to pay different levels of taxation in order to enjoy similar benefits. This is inequitable. Public bodies can only determine the priorities among local services if power over the local budget is

sufficiently concentrated in a small number of cooperating agencies rather than fragmented among many. This same requirement, together with access to expert assistance in estimating future costs and trends in the local economy, is necessary for rational planning for the future.

The present structure of local government in Essex County is poorly equipped to meet these conditions and is incapable of serving these aims.

PROVINCIAL AND MUNICIPAL RELATIONS

The need for local and provincial governments to cooperate in providing local services is indisputable. Given the province's legal powers and its concern to encourage some degree of uniformity and adherence to minimum standards across the province, its agencies are bound to be in close contact with local governments. The real question is, are local governments to fulfil an agency function for the province or are they to be a partner with it? The two roles are very different. The agency function involves close adherence to provincial rules and regulations and regular inspection and supervision. The partnership relationship involves the establishment of provincial policies and minimum standards and the provision of local services under local control in accordance with these. It also means that the province will be consulting municipalities regularly. It will be willing to take their advice and to allow exceptions and variations in provincial policies to take account of local circumstances as they are interpreted by local representatives and officials.

The current relationship between the municipalities in

Essex County and provincial agencies involves a mixture of agency and partnership relationships. In my view the trend is clearly towards the predominance of the agency relationship which is incompatible with local self-government. A major aim of reform should be to promote the transition to partnership. In order to achieve this aim, local governments must demonstrate a capacity to provide high quality local services without close supervision and in response to public participation. This requires structural changes which will promote public participation and the development of expertise amongst local public servants.

PREPARATION FOR THE FUTURE

Planning for the future is always a difficult activity; for human beings are infinitely complex and the range of factors which affect their choices and preferences is enormous. Planning is a particularly difficult activity for representative democratic political bodies; for they must be concerned with current issues and difficulties in response to public demands. Elected representatives are chosen on the public assessment of their past conduct and on the manner in which they deal with immediate issues rather than on their capacity to anticipate and deal with demands which occur in the future. Then too, democratic societies are reluctant to impose restraints on the choices open to people in the future. Yet we all recognize the consequences of inadequate planning for the future and the extra burdens this failure imposes in the delivery of current services and the limitations it imposes on choices in the future. Much of the current day-to-day work of local governments in Essex County consists of coping with the

problems created by the rapid spread of haphazard development in the past fifteen years.

A major aim of reform must be to improve the capacity of local governments to make sensible estimates of future demands for public services and to make and implement plans for promoting their efficient and economical development. This requires the creation of institutions with the jurisdiction, the financial capacity and the expert assistance necessary for this task. Effective and realistic planning is required to make the best use of available resources and to limit the destruction of such important assets as productive farm land and recreational space.

MEETING THE REFORM AIMS

The following chapters contain a discussion of present problems and the changes recommended for dealing with them. However, it is important to understand that both the problems described and the recommendations made for change are interrelated. The study of local government in Essex County has not meant merely the examination of a series of fragments of the existing structure. I have tried to examine each element also in relation to the total structure and to anticipate the effect of a change in one area on the others. This is not to suggest that all the recommendations are of equal significance or that failure to implement some of them would make the implementation of all the others undesirable. Nevertheless, the scheme outlined in the following pages has been conceived as a total package and should the decision be made to institute only a part of it considerable study and effort will be required to ensure that what results is not a hopelessly fragmented

local government structure.

In the original Call for Briefs, I outlined four basic models of a restructured local government which I asked people to discuss. Very few of the responses considered the overall system of local government but rather dealt with fragments only, without much reference to the effect of changes in these on the total system. Nevertheless, by putting together all the responses and the more general discussions that I had with councils, groups and individuals, much useful information on what would be workable and what structures were likely to win public acceptability in the future emerged. As I considered the possible range of reforms, I came to the conclusion that it would not be a productive enterprise to publish an interim report describing alternative schemes for the reform of local government in Essex County. I had learnt enough in the public discussions and hearings to know that certain theoretically possible models (those involving a single tier arrangement) would stand little chance of adoption by municipal councils and, if imposed by an outside authority, would be unlikely to be accepted by those active in local government and by the general public as legitimate community institutions. On the other hand, I was aware that a proposal which suggested few changes might well be accepted and implemented by local politicians who would regard it as being acceptable to the general public. In fact, the vast majority of the public would have treated the resultant government with the same indifference with which they regard the existing local governments. In my view, a proposal which suggested few changes would not be a realistic alternative since I do not regard the existing structure as capable of providing high quality

local self-government with substantial public participation and support and with the ability to plan adequately for the future. To publish an interim report listing a range of acceptable alternative schemes was in my view impossible. Working within the constraints of what would in my opinion produce a satisfactory structure for the planning and provision of high quality services economically, which would stand some chance of public acceptability in the future and which would be responsive to, if not totally in accord with, long established provincial policies, the range of genuine options seemed to be very limited. While in a number of areas there are, I believe, genuine alternatives to be considered (alternatives which are discussed in the following chapters), I formed the opinion that this was not true in relation to the main elements of the system.

Many local politicians and officials may regard these proposals as a severe criticism of their efforts in managing local affairs. They are in reality no such thing. Those people who work within the existing structure are bound to be primarily concerned with managing the day-to-day concerns of their communities. They must accept the existing municipal structures and provincial laws and regulations as given and do the best they can for the people they represent and serve within these constraints. Municipal leaders can scarcely be criticised, for example, because no overall plan to regulate land use in the review area exists. At present there is no machinery for the consideration of such a plan, no staff to assist in making it and no body with the power to implement it. There are, in fact, a number of instances where local politicians have had the imagination and drive to create new

machinery to escape the constraints imposed by the existing structure. The arrangements for the disposal of solid wastes and for the establishment of a County Housing Authority are excellent examples of these. Changes have also been brought about through numerous annexations and intermunicipal agreements. There are, however, severe limits to what can be achieved by piecemeal changes of this nature. During the past two decades, regular changes have occurred to meet the challenges of new demands for service and regular changes in provincial policy. As a result, the present structure is so complex and fragmented that it is impossible for elected community government bodies to review community needs and establish a clear series of priorities in meeting them or to allow the general public to be fully conversant with local government affairs. The time has come for a more systematic restructuring of local government institutions.

The main changes in local government structure in recent years in Essex County have been in the direction of decreasing the separation of the City and County by the formation of joint bodies and intermunicipal agreements to provide services on a regional basis, of strengthening the role of the County Council in providing planning services within the County, and of attempting to overcome the constraints imposed on the provision of services by the existing boundary system by the use of intermunicipal agreements for the sharing of facilities and personnel by local municipalities within the County. Two of the most common complaints expressed by municipal councillors have been the loss of control to local boards over the spending of local tax revenues and the increased degree of provincial control over the planning and delivery of local services.

In my view an additional major concern should be the low level of public interest and involvement in municipal affairs.

The recommendations which I make in this report are designed to carry the existing trends one or two steps further and to respond to the three other weaknesses I have noted in the above paragraph. The proposals here do not involve any radical reconstruction of local government structures in the area. They are designed to change the existing structures in order to help local politicians deal more adequately with the trends already established and with the complaints most often made by the people in the County.

There has long been debate over the wisdom of separating major urban centres from the suburban and rural communities surrounding them. The interdependence between City and County has always existed with the central area in particular offering a range of cultural, recreational and social services to the entire area. With the more extensive use of the automobile and the improvements in the road system which allows this, this interdependence has grown more extensive and intensive. In Essex County, as in many other parts of Ontario, the possibility of residence at a considerable distance from the City for those who work, shop, and use the cultural and social amenities of the City has increased. It is now impossible to plan and thus regulate the development of residential as well as commercial and industrial development in the City of Windsor and Essex County in separate compartments. Further, we now know enough about land use planning in particular to know that planning is a continuous activity and that paper plans are not self enforcing. A planning

agency requires control over major elements of the physical infrastructure, such as roads, sewers and water lines if it is to be effective in implementing its plans. It is also clear that, without some central local authority managing the provision of services used commonly by City and County residents, there is unlikely to be equity in the financing of these services.

The single most important change in creating an effective local government structure in Essex County is to bring the structure into accord with social and economic realities by integrating the City of Windsor into the County system of local government.

The role of the County government in Essex County has been expanding. The County Council has recognized the need to plan for future growth and development over a far more extensive area than the individual local municipality. The County Plan approved by the County Council after detailed planning studies, much discussion and the expenditure of very considerable funds is now on the shelf in offices all over the County. The County lacks the power to bring it into effect. To do this, the County Council will require planning powers and control over basic physical services. There can be no effective control over the pattern of growth and no effective protection of the productive farmland and recreation land in the County until the Essex County Council has this authority. The County Council, including Windsor within its jurisdiction, is the only local government capable of undertaking effective planning for the whole area. The County must also take control of those services which can only be provided efficiently and financed equitably on an area wide basis. These have already been recognized as including public health, libraries, social

services and public housing, all of which are presently organized within the County on a County-wide basis.

The recommendations made below are designed to create a single elected Essex County Council, with a specialist administration, to exercise direct responsibility for the services which can only be provided efficiently on a County-wide basis.

The existing municipal boundaries in the County of Essex do not coincide with local community boundaries and, as a result, do not delineate effective service areas for the range of services which should be provided by the local municipality. The present pattern of intermunicipal agreements and cooperation provides a guide to be used in redefining local municipal boundaries. While intermunicipal cooperation will still be necessary in dealing with certain matters, just as interprovincial cooperation between provinces and international cooperation among countries is necessary, it is not a satisfactory manner of providing basic services within a single service area. The existing boundaries also lead to the inequitable distribution of resources and benefits within local communities. At present the majority of local municipalities are too small to support administrations capable of offering specialist advice and assistance in the carrying out of local functions. In consequence, they lack the capacity to obtain maximum efficiency in the use of their resources and to deal effectively with provincial agencies.

Within the local municipalities, particularly the urban units, what local authority exists is divided among a number of agencies. The elected municipal council is simply one of a number of bodies making decisions on the use of community resources. A

strong community government capable of reflecting community preferences and ordering priorities in the expenditure of funds can only be formed by consolidating decision-making power and firmly assigning responsibility to the municipal council.

The recommendations made below propose the creation of seven new municipalities in place of the existing twenty-one in the County to form with the City of Windsor, where boundaries remain unchanged, the lower tier municipalities within the County of Essex. A single council, with a more specialized administration, would have a clearly defined responsibility for local services within each municipality.

The revision of local government boundaries and the simplification of the local government structures should encourage increased participation in local politics. However, the present situation is serious enough to require additional changes in structure and procedures to serve this aim. The present practice of electing municipal councils at-large would be inappropriate for the newly created lower tier municipalities. The functions which have been assigned to them can only be successfully discharged if their councils are in close contact with the public and they are highly responsive to the public. A ward system in each municipality, in which the wards are compact neighbourhood units, is a necessary change to serve this end and to promote fair and equal representation of the electorate.

The manner in which public business is conducted, and the amount of and manner in which information is made available to the public by local government bodies in Essex County is unsatisfactory. Insufficient time and funds are devoted to making the issues facing local government bodies understandable to the public

and in providing information on decisions and their consequences. A far more positive and systematic approach to carrying out this duty is required. In some respects, the present practices employed by Windsor City Council provide a model for other municipal councils in the County.

Changes in structure and procedures alone cannot induce a higher level of understanding of and participation in local affairs but they can make an important contribution to this end. All of the recommendations made in this Report have been considered in the light of their effect in increasing the level of public understanding and participation.

The provincial government has dealt with municipalities through many ministries and agencies. These provincial efforts have lacked coordination and little attempt has been made to gauge their effect on the overall system of local government. The provincial legislature is responsible for the municipal institutions in the province and yet by the legislation it has passed it has done much to undermine the capacity of municipal governments to provide local self government as has its failure to provide for regular review and changes in municipal structure.

The most serious damage to the concept of local self government has been wrought by the operating departments and agencies of government which are often more concerned with serving the limited objectives of programmes under their control than with the preservation of meaningful local self government. The special purpose local institutions which are little more than the captive agencies of central departments insulated from effective supervision by the elected municipal councils have been particularly

subversive. The extent and intensity of administrative supervision in the case of certain agencies have reached levels which make it virtually impossible for a municipal council to exercise any discretion. This has resulted in a number of undesirable consequences including the postponement and delay in providing municipal services because of the difficulties provincial officials have in dealing with large numbers of minor questions, uncertainty and frustrations as detailed regulations are regularly revised, and the encouragement of the attitude amongst local politicians that the final responsibility for local services and facilities is not theirs. Finally, it must be recalled that the whole purpose of local governments is to allow local preferences and local conditions to be taken account of in providing local services. Very rarely is the provincial official better prepared than the local representatives and officials to ensure this legitimate end is served. The attempt to produce uniformity in the provision of services across the province is a legitimate aim but so is the desire of local communities to reflect the differences between each other in the public policies they pursue. The balance has been tipped in favour of uniformity in recent years.

Any reform of local government will only promote community self government if the provincial government is prepared to take its responsibility for the overall health of municipal institutions seriously. To do this, the provincial cabinet must be prepared to examine the work of all those provincial ministries and agencies which deal with municipal governments to ensure that they are not undermining the ability of local governments to speak for their communities and plan and coordinate local services without undue

dictation from provincial officials. Local municipal councils and school boards are elected bodies; as such they deserve to be treated with far more respect and given a wider range of discretion over local services than is the case at present.

The recommendations made below are designed to increase the capacity of local government to make and implement decisions and to very substantially reduce the degree of provincial intrusion into local affairs.

CHAPTER 6

BOUNDARIES

In the townships of Essex County, less than one-quarter of the population lived on farms in 1971. All the evidence points to a decrease in that proportion in the past five years. The majority of the non-farm population are commuters who live on small plots of land and work in Windsor and the towns within the County; many of them live on the fringes of the County towns and in a number of sizable hamlets in the existing townships. Their life style is essentially that of suburban residents. To describe the present division between urban municipalities (towns and a village) and the rural municipalities (townships) as reflecting a division between rural and urban areas would be to ignore the realities of the actual pattern of development in the County. Residential development is so scattered throughout the County and concentrated in so many small settlements that it is impossible to draw boundary lines based on any practical urban-rural division of the territory which would be other than purely fanciful. The urban areas cannot be separated from the rural areas of the County for local government purposes because they are hopelessly intermixed and all of the so called rural areas are heavily dependent on local urban settlements for a wide range of services.

Within the County there are certain areas (the existing towns and such hamlets in the townships as McGregor, Cottam, Comber, Colchester and Maidstone) where the population is large enough and sufficiently densely settled to justify and require the

provision of special services, such as sewers, whose direct benefits are limited to the town or hamlet residents. These areas form urban service areas. It must be stressed that they include not only the existing towns but also settlements within the townships. At present such services are financed by charges and taxes paid only by those who clearly benefit from the service. In a densely settled urban area such as Windsor or the Town of Amherstburg, the level of settlement is such as to justify financing such services by general mill rates. The present practice in municipalities with a mixture of densely settled areas and less densely settled ones of charging special rates for certain services to those who benefit is a fair one and should be continued in the new municipalities. This continuation of present practices should answer the legitimate demand of residents of the less densely settled areas that they not pay for services they do not receive.

All of the existing towns in Essex County provide facilities which are shared by their own residents and the residents of neighbouring townships, many of whom also find employment in the towns. They are essential sub-centres of the County while the City of Windsor is the major urban centre for the whole County. The nature and level of public services offered in the towns is greatly affected by their status as sub-centres. If one examines the existing pattern of inter-municipal agreements and cooperation, it is clear that one can identify service areas actually in use at present which overlap existing boundaries. The boundary proposals made below would have the effect of making it possible to dispense with virtually all agreements between lower tier municipalities. The exceptions would be in agreements between the City and its neighbours by which the latter are able to gain the advantage of

sharing the large scale facilities of the City.

The municipalities proposed below would be of sufficient size to have the potential of offering a full range of local services employing full-time trained staff with some opportunity to specialize. This would increase the capacity of municipalities to benefit from larger scale organization and strengthen their capacity to deal with the public and provincial bodies. The municipalities proposed are small enough to allow individual citizens and councillors to deal on a face-to-face basis with all the senior officials of the municipality. The proposals for representation on municipal councils would allow local councillors to represent compact areas with a population of 2,000 people or less. This would promote responsiveness. The municipality would have the capacity not only to hear individual complaints and problems but an enhanced capacity to deal with them effectively. In my view, the municipalities created here would be just large enough to allow the efficient provision of police services on a local basis.

In drawing the boundaries of the proposed municipalities, four other factors have been weighed particularly heavily. First, a desire to keep municipalities to a relatively small size to increase the possibilities of citizen contact and to assist the transition from the existing structure to the new one. Secondly, to avoid as far as possible the division of existing municipalities in establishing the new units to minimize the disruption of existing administrative arrangements and patterns of political representation. Thirdly, to create units large enough to exercise significant power and thus limit the transfer of functions to the

upper tier to only those functions which must be provided on a county wide basis. Finally, to avoid a situation in which the population of any existing municipality is so large a fraction of that of the new municipality to allow it to dominate.

The existing county boundary should be adjusted in the southern area. The Village of Wheatley and the urban fringe surrounding it in the Township of Romney are closely linked socially and economically with Leamington and Mersea. At present these links are reflected in cooperation between Mersea and Wheatley. In my view, local government boundaries in this area should reflect the community boundary; this means that the County boundary should be redrawn. Such a change, however, is not crucial to Leamington-Mersea; the amalgamation of these two municipalities would create a strong lower tier municipality without this change.

No submissions were received which made a case for further extensions of the City's boundaries. The City itself now has sufficient land for very considerable growth without boundary extensions. Sandwich West which was drastically altered by the 1966 annexation decision is now a sizable community. The loss of commercial and industrial assessment by Sandwich West has certainly weakened it financially. However, the existing community has worked hard to upgrade services and facilities and develop a community consciousness. In the new local government structure I propose with the centralized control over planning and a greater degree of equalization of resources, I can see no advantage to the absorption of Sandwich West into the City. This is particularly so in view of the burdens the latter already has in upgrading services in the areas already annexed. The same arguments apply with respect to the western boundary of the City with Tecumseh. In

consequence, I have not suggested any changes in the present boundaries of the City of Windsor.

These proposals involve the division of Sandwich South and Maidstone Townships. In both of these instances, parts of the municipality belong to different service areas. This is reflected in both the socio-economic relationship of the population to the sub-centres of Tecumseh, Essex and Belle River and in the pattern of intermunicipal cooperation. The hamlet of McGregor is presently divided between Anderdon and Colchester North. Its future growth and development should be managed by a single municipality; its present service links are with Anderdon.

TABLE 34: PROPOSED RESTRUCTURED MUNICIPALITIES IN ESSEX COUNTY

<u>Municipality</u>	<u>Assessed Population in 1974</u>
Municipality #1: City of Windsor	198,086
Municipality #2: Township of Sandwich West	13,757
Municipality #3:	Total 15,187
Town of Amherstburg	5,747
Township of Anderdon	4,833
Township of Malden	3,863
*Part of Township of Colchester North (McGregor)	744
Municipality #4:	Total 17,650
Town of Harrow	1,875
Town of Kingsville	4,402
Township of Colchester South	4,715
Township of Gosfield South	6,658
Municipality #5:	Total 21,281
Town of Leamington	10,628
Village of Wheatley	1,682
Township of Mersea	8,971

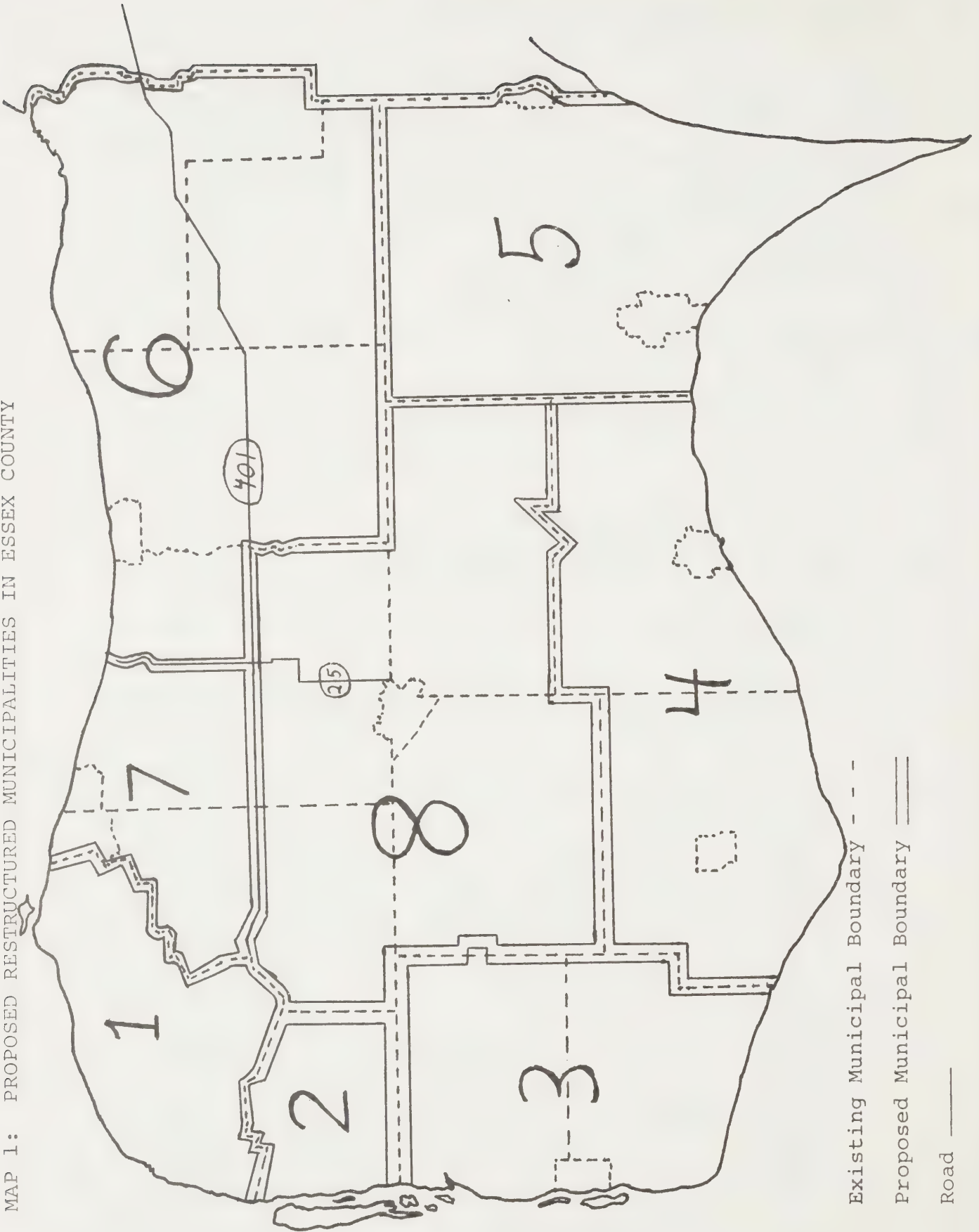
TABLE 34: (Cont'd.)

<u>Municipality</u>	<u>Assessed Population in 1974</u>
Municipality #6:	Total 14,931
Town of Belle River	3,177
Township of Rochester	4,065
Township of Tilbury North	2,934
Township of Tilbury West	1,604
*Part of Township of Maidstone	3,151
Municipality #7:	Total 13,061
Town of Tecumseh	4,991
Village of St. Clair Beach	1,916
*Part of Township of Maidstone	3,225
*Part of Township of Sandwich South	2,929
Municipality #8:	Total 15,084
Town of Essex	4,971
Township of Gosfield North	3,514
*Part of Township of Colchester North	2,668
*Part of Township of Maidstone	1,779
*Part of Township of Sandwich South	2,152

*Footnotes:

- 1) Colchester North Township: The hamlet of McGregor is added to Municipality 3. The rest of Colchester North is in Municipality 8.
- 2) Maidstone Township: Maidstone Township is divided among three restructured municipalities. All the area south of Highway 401 is in Municipality 8. The area north of the 401 and east of County Road 25 (Puce Road) is added to Municipality 6. The section north of the 401 and west of County Road 25 is in Municipality 7.
- 3) Sandwich South Township: The section north of Highway 401 is in Municipality 7. The part south of the 401 is in Municipality 8.

MAP 1: PROPOSED RESTRUCTURED MUNICIPALITIES IN ESSEX COUNTY



CHAPTER 7

FUNCTIONS

This chapter is concerned with the services provided by municipalities and other local government bodies within the area. In the course of the discussion of each function, I have made recommendations concerning the body to be responsible for its performance in the restructured government. Where the transfer of a function from the local level to the county level government is recommended, I have discussed the shifts in the tax burden which would result. It is, of course, impossible to estimate these precisely since the latest figures available are those for 1974 and it is impossible to anticipate any changes in policy which restructured County and local councils might institute. However, the nature of the shifts in the tax burden and a clear idea of the magnitude of the changes can be seen from the material presented below.

The summary at the end of this chapter shows the overall allocation of functions recommended.

PLANNING

Planning does not have a long history in Essex County. Outside the City of Windsor, only six of the nineteen planning areas had official plans in force prior to 1970. Zoning by-laws approved by the Ontario Municipal Board were in place in only eight of the twenty-two municipalities by early 1975 and some of these, most noticeably that covering the core City area, were outdated. During the rapid expansion of their population in the nineteen sixties, only Sandwich West (which had a 1957 zoning by-law) of the fourteen townships in the County had a zoning by-law in effect.

While the province has had planning legislation in force since the nineteen forties, it has had little effect in the County until the past decade. Strong provincial government pressure has been exerted on municipalities to prepare official plans and zoning by-laws in recent years. This pressure has been effective because it has been backed by the province's ability to impose sanctions on municipalities which failed to respond to it. The list of official plans and zoning by-laws (see Research Report #2 p. 54 & 55) should not be regarded as evidence of a full understanding of planning programmes or commitment to them by local politicians in the area. In my discussion of planning with municipal councillors, I gained the strong impression that many of them were either uncertain about, or hostile to, rules and regulations which seriously limited their own freedom of action in deciding on development proposals. On a number of occasions when I quoted from a municipal plan, I was told by members of the Council that had passed it that what I had read was what the consultant had

written to satisfy "Toronto". The view that local plans had been foisted onto municipalities by provincial authorities was expressed to me fairly often by municipal councillors. I am not at all confident about the prospects of sufficient attention being paid to official plans in the future when councils are faced with proposals for financially attractive developments not in conformity with the official plan.

The fact that not a single municipality outside Windsor employs specialist planning staff is one indication of the extent to which the local understanding and commitment to the planning process is limited. While many planning areas may be too small to justify the employment of a full time planner, there is no barrier to municipalities cooperating for this purpose. In many other areas complex agreements have been made between municipalities to share facilities and personnel. Despite the absence of planning staff, municipalities are spending significant amounts of money on planning, mostly in consultant fees. In 1970 county municipalities spent \$27,292; this had increased by 340% to \$92,794 by 1974. The County Council was also involved in planning studies, despite its lack of powers, in this period. The combined expenditures of County and County municipalities were \$43,391 in 1970 and \$115,332 in 1974. The largest proportion of funds has been for the preparation of official plans and new zoning by-laws. A number of municipalities have already realized the need for continuous professional assistance with the regular revision and implementation of their plans and have retained consultants for this purpose. However, planning programmes are still in their early stages in the County and the extent to which effective planning cannot be regarded as simply the preparation of specific proposals or as a

separate and discrete activity from other municipal business has not been widely understood. If the existing plans and zoning by-laws are to be fully effective, the expenditure of larger sums of money in the future will be necessary. The City of Windsor which has a long period of experience in the planning field finds it necessary not only to employ a planning staff but also to use consultants for work on special projects. In 1974 the City spent \$397,888 on planning and zoning.

At present the County is divided up into nineteen planning areas, one of which, the Erie/St. Clair Planning Area, also includes territory in Kent County. Three planning areas include an urban municipality and the township which surrounds it (Harrow and Colchester South, Kingsville and Gosfield South, Leamington and Mersea) while the remaining fifteen have boundaries which are coterminous with a single municipality. Five of the existing planning areas have an area of less than two and one-third square miles. One, Belle River, is less than one square mile in extent. While the twenty-three municipalities in the County have ultimate local responsibility for major planning decisions, there were in 1975 nineteen planning boards with certain statutory responsibilities, a County Land Division Committee dealing with consents in eleven municipalities and twelve Committees of Adjustment which dealt with minor variances and in some cases with consents. This is a total of fifty-five local bodies with some statutory planning responsibilities. It does not include the provincial authorities which have significant responsibilities in local planning. There is some overlap in the membership of municipal councils and planning boards. As the zoning by-laws presently being prepared are approved, the number of local planning bodies will increase.

Faced with this jigsaw puzzle of planning jurisdictions and jumble of planning authorities is it any wonder that ordinary citizens are completely bemused by them? This vast apparatus exists to plan an area which is integrated economically and socially and where decisions taken in one area of the County are bound to have an effect on the other areas.

At present each official plan and zoning by-law must be prepared as a separate and discrete document. Naturally the prudent planner will inform himself of developments in neighbouring planning areas and provincial officials may take account of these in examining draft plans prior to their approval. However, there are no explicit general guidelines or defined policies to guide the planner or the board and council in attempting to fit the particular plan or by-law into an overall development strategy for the area. As one reads the individual plans, one finds explicit references to and some implicit assumptions on the role of the particular area in the development of the area as a whole. For example, the official plan of the Town of Essex includes the following in its introductory statement:

2.3 Certain assumptions have been made with respect to future planning in the Town during the Plan period. They comprise the following:

- 1) The present character and function of the Town will continue - a community of mixed residential types with a limited industrial base, commercial and service facilities serving the Town and the surrounding rural areas and a significant number of commuters (to Windsor).

There is, of course, no assurance at all that the assumptions concerning the future development of the County made in the preparation of the nineteen official plans will be the same ones. They are bound to be affected by the particular perspectives of each planner, board and council.

The existing plans involve little more than detailed regulation of potential development and they designate the lands within each area most suitable for different types of development should it occur in the future. The absence of any machinery to make and implement county-wide plans makes it impossible to designate which of the nineteen sets of potential sites for commercial, industrial or residential development should be given priority or to ensure that they are in fact used in some coordinated fashion. The existing municipalities are placed in the position of competitors for desirable developments and there is no effective means of directing development into one area rather than another. At best the existing system places some barriers in the way of developments which will clearly damage the environment, lead to massive losses of productive farmland, destroy the recreational potential of the non-urban areas and create demands for large scale extensions of basic services. In this respect, important gains have been made in recent years through local planning programmes. However, the capacity of the existing system to shape the development of the area in any positive way is very, very limited.

The planners, boards and councils who have created the existing plans have not been blind to the difficulty of making rational plans for the present planning areas in the absence of a county-wide plan. This fact is a continuing theme in municipal plans and planning studies as the following quotations illustrate:

This Plan does not attempt to reflect influences of a regional nature which could conceivably substantially affect the growth patterns of the community. The major reason for this is that regional trends remain somewhat nebulous in the absence of any County planning.

In order to come to grips with the pressures that the Township now faces and to prevent further problems in the future, this Plan is based on a time period of approximately fifteen years. Beyond this, in the absence of a Regional Plan giving a framework into which a local plan may fit, it is almost impossible to try to forecast events which will then be shaping the Township. Even beyond five years forecasting is difficult and therefore the policies in the Plan are based on the assumptions that the Plan will be reviewed at five year intervals.

Township of Anderdon, Official Plan p. 2

In the absence of a Regional Plan to give a guiding framework, it is virtually impossible to predict the events that will be shaping the Township.

It is also recognized that the Township will be brought more and more into the urban sphere of the expanding Windsor Metropolitan Area. Eventually it is likely to undergo development on a scale not provided for in this Plan. Again, the lack of regional planning makes it extremely difficult to see where the Township might fit into the larger picture of this Area and means that plans made at the local level to meet local conditions, may well conflict with the best interests of the Area.

Township of Sandwich West, Official Plan pp. 2-3

A planning period of twenty years has been used, but since there are many unknown factors affecting the growth of the area, including the effect of possible future regional or county policies, this Plan must be reviewed every five years, or sooner if any major deviations from the present trends occur.

Town of Harrow & Township of Colchester South, Official Plan p.3

Rochester is part of a rapidly urbanizing part of Southwestern Ontario and is influenced by regional economic pressures. Within Essex County, Rochester is one of the many rural areas experiencing intense pressure for urban development of a predominantly residential nature. As this urbanization progresses along the south shore of Lake St. Clair the established centres of St. Clair Beach, Tecumseh and Belle River are losing their individual identities and becoming part of a continuous band of urban development.

It is evident therefore that this Plan must take cognizance of the pattern of development along the whole

north shore of Essex County and coordinate the policies for Rochester with the broader development policies for the whole County.

Township of Rochester, Official Plan pp. 2-3

It is recognized that the Township will eventually be brought into the urban sphere of the expanding Windsor Metropolitan Area. At such time it may well undergo development on a scale that is not provided for in this Plan. Again, in the absence of a guiding Regional Plan, it is not realistic to lay down any policies for such development.

Township of Sandwich South, Official Plan, p. 2

At the present time, urban growth in Essex County is taking place in a rather haphazard, random fashion, without an overall conceptual plan being used as a directive. The resulting pattern may be quite catastrophic and bear little resemblance to what should be the intended development.

Town of Tecumseh, Official Plan, Part 1, pp 2-3

Several years ago the provincial authorities recognized the vacuum which existed and began some efforts to fill it. Through the Regional Development Branch, they conducted a limited number of studies and initiated a public discussion of planning concepts for regional development in the Tri-County area. However, nothing of lasting value emerged from this uncompleted effort. The County Council itself was also aware of the vacuum and the need for some strategic decisions on the future development of the County. It commissioned a major land use planning study which did pull together general information and propose some general policies for the future. Fundamental weaknesses of this whole exercise were that the City of Windsor was not included in the study or in the consideration of the general policies and that the County Council lacked the authority to make and implement plans

which were in any way binding on County municipalities. The County Council did employ a single planner, without staff assistance, who might have offered advice and assistance to municipalities in the area. However, the planner left the employ of the County a year after he had been hired and before any clear definition of his role had been made. He has not been replaced since August, 1975. The County Land Use Plan, which is already two years old, is gathering dust on shelves all over the County at present.

The complexity of the existing machinery, the lack of expert staff assistance, the inability of the existing machinery to generate and enforce planning policies for the whole area and the limited commitment to planning all exacerbate one other serious problem in the planning process. At present the time taken to prepare and process major planning documents and even minor revisions to them is excessively long. The inability of the provincial authorities to process planning measures speedily is clearly the result of an attempt to exercise very detailed control over the planning efforts of local municipalities. The desire for such detailed control grows out of a lack of confidence in the capacity of local municipalities in the planning field. I am opposed to the exercise of such detailed supervision by provincial authorities but find it extremely difficult to argue with the case currently made for it. In a situation where no municipality outside the City of Windsor employs a single expert staff member with continuing responsibility for a planning programme and the County Land Division Committee and local Committees of Adjustment lack the advice of such a person, what else is one to expect.

Planning powers are the most complex and important powers that municipalities have to exercise. They affect every resident of a municipality and every programme municipal government undertakes. They cannot be exercised effectively by municipalities under the present local structure and without the continuing expert assistance of staff with a deep understanding of local conditions, a thorough knowledge of municipal programmes and a continuing commitment to the interests of the area.

Because of the concern over the question of the amount of time required to process major planning documents, I had a detailed study made of the steps required and time taken to create an official plan in three municipalities in Essex County - a town, a township and the City. The results are presented below. They demonstrate that the time spent on the preparation of the plan is an important factor in determining the total time taken over major documents. While the preparation of the City's official plan was obviously a more substantial task than for the other two municipalities, the time taken was clearly excessive. The provision of inadequate resources and poor organization between 1966 and 1970 lengthened the preparation time to a considerable extent. Given the limited nature of the planning task in Amherstburg and Sandwich West, it is not unreasonable to assume that with a staff planner and adequate resources the time spent on preparation of the draft plan could have been shortened. It is difficult to see how the time taken for progress between stages 2 and 3 can be much shortened given the necessity of a serious attempt being made for full discussion and public involvement in the planning process. From the time Council approved the plan until Ministry approval took

TABLE 35: TIME INVOLVED IN GETTING OFFICIAL PLAN

	AMHERSTBURG		SANDWICH WEST		WINDSOR	
	Date Achieved	Time Between Steps	Date Achieved	Time Between Steps	Date Achieved	Time Between Steps
1. Hire Planner	Feb. 1972		Aug. 1966		Nov. 1966	
2. Draft Official Plan Sent to Council & Ministry	Mar. 1973	13 months	Nov. 1967	15 months	Aug. 1970	45 months
3. Final Official Plan sent to Ministry having been approved by Council	Mar. 1974	12 months	Nov. 1968	12 months	Sept. 1971	13 months 191
4. Comments to Ministry sent to Council	Dec. 1974	9 months	June, 1969	7 months	Jan. 1972	4 months
5. Agreement between Council & Ministry	Mar. 1975	3 months	May, 1970	11 months	Feb. 1972	1 month
6. Official Plan Approved by Minister	Aug. 1975	5 months	June, 1970	1 month	Apr. 1972	2 months
	TOTAL	3 years & 6 months	TOTAL	3 years & 10 months	TOTAL	5 years & 5 months

	Date Achieved	Time Between Steps	Date Achieved	Time Between Steps	Date Achieved	Time Between Steps
1. Hire Planner	Feb. 1972		Aug. 1966		Nov. 1966	
2. Draft Official Plan Sent to Council & Ministry	Mar. 1973	13 months	Nov. 1967	15 months	Aug. 1970	45 months
3. Final Official Plan sent to Ministry having been approved by Council	Mar. 1974	12 months	Nov. 1968	12 months	Sept. 1971	13 months 191
4. Comments to Ministry sent to Council	Dec. 1974	9 months	June, 1969	7 months	Jan. 1972	4 months
5. Agreement between Council & Ministry	Mar. 1975	3 months	May, 1970	11 months	Feb. 1972	1 month
6. Official Plan Approved by Minister	Aug. 1975	5 months	June, 1970	1 month	Apr. 1972	2 months
	TOTAL	3 years & 6 months	TOTAL	3 years & 10 months	TOTAL	5 years & 5 months

TABLE 36: FINAL AGREEMENT BETWEEN MINISTRY AND MUNICIPALITY
ON OFFICIAL PLAN MATTERS

	<u>Major Issues</u>	<u>Minor Issues</u>
<u>Amherstburg</u>		
Issues raised by Ministry:	3	8
Municipality immediately concurs on :	3	6
Municipality later accepts Ministry view on :		2
Ministry concedes on :	Ø	Ø
<u>Sandwich West</u>		
Issues raised by Ministry on :	10	5
Municipality immediately concurs on :	5	2
Municipality later accepts Ministry view on :	3	2
Ministry concedes on :	2	1
<u>Windsor</u>		
Issues raised by Ministry on :	7	Ø
Municipality immediately concurs on :	3	
Municipality later accepts Ministry view on:	1	
Ministry concedes on :	3	

seven months in the case of Windsor, seventeen months in the case of Amherstburg and nineteen months in the case of Sandwich West. When one examines Table 36, one can see that fewer issues were raised by the Ministry, despite the complexity of the plan, and that local views were more influential in shaping the final plan in the City than was the case in the other two municipalities. The presence of an expert local staff also enabled Windsor to make a substantial innovation in reducing the Ministry's detailed control by obtaining agreement that the City should alone be responsible for approving secondary plans.

In my view, substantial changes in the planning structure are required if local governments are to have the capacity to shape and direct the future development of Essex County. Haphazard and scattered development has created serious problems and irreparable damage to the environment in the County and imposed substantial additional burdens on local and provincial taxpayers in the past fifteen years. Without major changes in structures and attitudes, I believe that it is impossible to control the loss of high quality productive farmland, to preserve and enhance the recreational amenities of the area, and promote the effective and economical development of the City and towns in the County in the future. Without these changes, the initiative in planning matters will increasingly pass out of local hands into those of the provincial authorities, continuing the already well established trend.

I recommend:

1. That the County Council be the sole body with statutory responsibility for planning in the County. That the County Council create a policy committee called the Planning & Environment Policy

Committee to facilitate the discharge of its responsibilities.

2. That local planning boards be abolished.

3. That local municipal councils serve as advisory committees, without statutory powers, but with the responsibility for commenting on planning matters referred to them by the County Council.

4. A single County Planning Department be created under the direction of a County Planning Commissioner and that it absorb the existing City of Windsor Planning Department. This Department would be responsible for advising the County Council and other planning bodies on planning and related matters.

5. The County Land Division Committee be continued and its jurisdiction be extended to cover applications for consents throughout the restructured County. Appeals from the decisions of the County Land Division Committee continue to be heard by the Ontario Municipal Board.

6. A Committee of Adjustment, to deal with minor variances, be appointed by County Council for each local municipality. A County Appeal Board be created to make a final disposition of appeals from decisions of the local Committees of Adjustment. This board to consist of three persons, who are not members or employees of local municipal councils, boards or commissions, appointed by the County Council. Each member to be appointed for a three year term at a salary to be fixed, and not subject to change, at the outset of the term of appointment. This would end the jurisdiction of the Ontario Municipal Board over appeals from local Committees of Adjustment in Essex County.

7. Responsibility for the promotion of industrial and commercial development and the promotion of tourism be assigned to the County

Planning Department under the direction of County Council. No further municipal grants be made to the Windsor-Essex County Development Commission or the Greater Windsor Visitors and Convention Bureau.

The planning function is the most important and complex function exercised by local governments. The manner in which it is carried out affects every other function performed by local governments and has major impact on their financial position. The ability of the local community to exercise any significant control over its own destiny is largely bound up with its capacity to exercise maximum independence in carrying out local planning. It is impossible to plan for the future development in Essex County by dealing with the City and the rest of the County in two separate compartments. Under the existing structure much of the industrial and commercial growth will be centred in the City with residential development more widely dispersed over the present County. It is imperative that these two types of development are not dealt with by two separate and inevitably competing authorities. The City already provides a wide range of services and has large scale facilities; its capacity to make the most efficient and economical use of these and to afford necessary extensions to them will be seriously undermined if its population remains static or grows only very slowly. From the County municipalities' point of view, the continued growth of residential developments without accompanying industrial and commercial development will further undermine the capacity of local governments to finance a satisfactory level of physical and social services. The County Council is the only body in the area capable of coming to grips with these issues.

In order to plan effectively, local government needs far more than the power to undertake planning studies, draw coloured maps and propound general policies. Plans, however carefully drawn, do not implement themselves. If there are two lessons which have been learnt in the relatively short period since attempts at comprehensive land use planning have been undertaken, they are that planning is a continuous process and that unless the planning authority has the power to implement the plans it formulates through control of detailed plans and of the provision of major public facilities the whole effort is a costly exercise in futility. The student of planning can read dozens of technically superior plans written by planning councils, ad hoc joint bodies and advisory boards in Canada, Britain and the U.S.A., but if these lack the power to exercise continued control over detailed implementation and to regulate the provision of public services he will find it difficult to discover the impact of these on the areas they cover five or ten years after their publication. Unless the Essex County Council has control over detailed implementation of official plans and over the system of arterial roads, the main elements of the water and sewage systems, housing and urban renewal and the promotion of industrial and commercial development, the assignment of major planning powers to it will be futile. The body responsible for planning must be in a position to control the development of public services and projects which determine the pattern of development, and in the case of public housing and urban renewal where the public authorities themselves manage development. These considerations have been of prime importance in allocating functions to the two levels of local government.

Perhaps the best local example of the impossibility of local governments implementing official plans when they lack any control over the basic lines of development in the County is provided by the experience in Sandwich West.

A basic policy of the Official Plan of the Township of Sandwich West (1970) is that residential development in the municipality should not take place until such time as the balance of industrial and commercial assessment and residential and farm assessment reaches a ratio of 25 to 75. The plan provides procedures for certifying that this balance has been reached. In fact, since the approval of the Sandwich West plan, the assessment ratio has never been close to that prescribed in the plan but residential development in the township has continued apace. In fact, since 1970 the township's population has increased from 10,863 to 13,896; in 1975 the ratio of industrial and commercial assessment to residential and farm assessment is 12 to 88.

The Sandwich West Municipal Council is well aware of the desirability of improving the balance of assessment and the financial pressures which result from the present situation. Indeed it struggles with them at virtually every meeting. However, its capacity to resist further residential development or to take action to change the balance of assessment is extremely limited. In fact, if it restricts development even more severely, it makes it virtually impossible for it to embark on the installation of basic facilities its existing residents really need. There is no easy and magic solution to Sandwich West's fundamental problems and I would be the last person to suggest that changes in the structure of local government will make them go away. They arise because of past attempts to realign municipal boundaries in a

piecemeal fashion and a failure to plan development on any comprehensive basis.

I have given consideration to the creation of a two-tier planning structure in which the local municipalities would be subsidiary planning areas and the local municipal councils subsidiary planning authorities. This is the scheme proposed to me by a number of individuals concerned with the inadequacy of the existing planning structure. In it the local municipality would be responsible for the detailed implementation of the general strategic policies laid down by County Council. The scheme has certain superficial attractions in that it involves a more limited reform which would be likely to be more immediately acceptable politically than the one I have recommended. In my view such a scheme would not work well in practice and it would not make possible the kind of comprehensive planning and integrated development the County desperately requires if it is to plan effectively in the future.

The local municipalities do have a role in stimulating and collecting opinion on planning proposals developed by the County Council and referred to them. I have proposed that local municipal councils should be designated as advisory committees on planning. They should be asked for comment on major policy proposals, and, in particular, on detailed local planning proposals and zoning matters and assist in informing the public and in collecting opinions on these. However, they should not have statutory responsibilities assigned to them.

Planning decisions are always bound to be the subject of heated debate. There is nothing to condemn in this. As long

as people have different interests and preferences, they will disagree on the direction public policies should follow. Heated and prolonged public debates are a sign of local government strength, not of its weakness. They indicate the extent to which people are aware and concerned about public policies. I am sure that under the structure I have suggested there would be vigorous debate on planning policies. However, the purpose of having a local government structure is to provide a means through which conflicting interests and preferences can be considered and authoritative policies decided on and carried out. What is more, the structure should facilitate the creation and implementation of consistent and coherent policies. In a two-tier planning structure in which the local municipality also has statutory planning powers, a situation is created in which two levels of local government find themselves in an intensely competitive situation. This inevitably leads to conflict and the use of the machinery and procedures of local government to frustrate the implementation of policies even when they have overwhelming majority support in the County as a whole. It is in practice impossible to draw any precise line between general policies and policies concerning detailed implementation; where upper and lower tier planning authorities exist, there is bound to be constant friction between them on where this line is to be drawn. If the local municipalities regularly frustrate the planning efforts of the County Council, it becomes impossible to develop strategic policies for the area. If on the other hand municipal councils rarely win the day, their efforts are redundant and the only products will be resentment and enormous expenditure of resources and time. The division of planning powers would also

lead to the creation of a whole series of local planning departments or the hiring of local planning consultants, since no one who has been concerned with a planning programme and has understood what is involved would attempt to make decisions without expert technical assistance. This would be unnecessary and costly duplication. The creation of an efficient central planning department with adequate specialist staff will be a costly enough matter for the County Council in a restructured County without the addition of duplicative and wasteful expenditures at the local level.

The exercise of its planning powers with proper regard for local conditions and circumstances will inevitably bring the County Council into conflict with provincial authorities on occasion. Such conflict occurs at present between local and provincial authorities. The normal outcome of such conflict is that, lacking the resources and capacity to argue an effective case, local municipalities bow to the province's wishes. In my view the energy and resources of new local governments in Essex County should be devoted, not to conflict among themselves over planning matters, but to ensuring that there is greater sensitivity on the part of provincial authorities in amending provincial policies to take account of special Essex County circumstances. The City of Windsor, which has the services of expert staff planners, has already demonstrated some capacity to affect provincial planning policies in this way.

At present a planning board exists in each planning area; each has certain statutory responsibilities in the planning process. However, its role is an advisory one and final local decisions are in the hands of the council. When the planning powers were

first assigned to local municipalities, two major concerns led to the creation of local planning boards. The first of these was the lack of people with any training or experience in planning matters. Universities and colleges rarely provided courses in planning; therefore, the planning profession was small and undernourished. A planning board which included lawyers, architects and businessmen with some knowledge in business practices and real estate matters was the only source of semi-technical advice available to the municipal council. The second concern was that few members of the general public were aware of planning and were unlikely to respond to invitations to be involved in the planning process. The planning board, made up of substantial local citizens, thus provided a sounding board for local opinion for the council and a body which could assist in stimulating and educating local opinion. In the past thirty years, the circumstances which led to the creation of planning boards have changed. Municipalities are now in a position to obtain expert advice from professional planners and there is little need for public expression on planning matters to be augmented and 'filtered' through an auxiliary advisory local board.

The existence of planning boards, even when as in Essex County they include some able and public spirited citizens, results in the duplication of effort and obfuscation in the planning process. In recent years municipal councillors have taken a larger role in planning board operations and greater stress has been placed on the final decision-making authority of the municipal council. This has been reflected in the relationship between planning staff and the council where such staff exists. Originally planning staff

members were viewed primarily as advisers to the Board; as a result, there arose the practice of having the senior planner as Secretary-Treasurer to the Board. Increasingly local planning staffs have been viewed as municipal departmental staff whose primary responsibility is the advising of council. Professional advisers and private groups or individuals find that in making submissions on planning matters they must deal with two non-expert bodies before whom they present the same evidence and argument. They are aware of the fact that while they must deal with the planning board first it is the municipal council which will make decisions. Not unnaturally, advisors and private groups or individuals will insist on having direct contact with the decision-makers. The need for the replay of discussion on policy matters, and often minor ones too, is far from obvious. It lengthens and complicates the consideration of planning matters and to some extent obscures the critical role which councils must play in them. The planning procedures are necessarily complex and time consuming and the elimination of unnecessary steps and procedures is a matter of urgent importance.

The case for the elimination of separate local boards has already been accepted in a number of areas in Ontario and they have been eliminated. I can find no special local circumstances in Essex County which would justify their retention.

At present municipalities are spending large sums of money on obtaining expert advice on planning and related matters. While the City has a full time planning staff, the planning monies of the County and County municipalities are largely spent on hiring private consultants. In my view, the County and County municipalities are not getting the best possible value for the considerable

amounts of money they are spending. I am not at all impressed by the quality of the planning studies and draft plans which have been prepared for County municipalities. While the fragmentation of planning areas makes plan preparation a frustrating exercise, I believe that anyone who examines the existing plans is bound to be struck by their uniformity and the superficial nature of the studies on which they are based. Even more significant is the undue concentration on the preparation of major planning documents and the very limited resources devoted to continuous research and to obtaining expert assistance with the day-to-day elaboration and implementation of planning programmes. More resources must be committed to these functions and a greater emphasis given to the role of the expert planner in the development of all municipal programmes.

The creation of a single County Planning Department, which would absorb the existing City Department, would provide the County Council with the necessary expert assistance in the exercise of its planning powers. In future, resources should be concentrated on the building of a permanent expert planning staff capable of offering continuous advice and assistance to the County Council and its Committees. The use of consultant planning services should be restricted to work on specific projects where either very special expert advice is required or when a temporary increase in the volume of work makes it necessary to supplement the activities of the permanent staff. In these circumstances, the permanent staff will be in a position to advise on the appointment of consultants and to supervise them in the conduct of their work. It is wasteful and unproductive to use consultants for routine planning work particularly if no expert staff assistance is available to

advise on their employment and to undertake their supervision.

The main duties of the County Planning Department should be to advise County Council and its committees on all planning matters, including official plans, secondary plans and zoning by-laws and amendments to these. The County Planning Department would also be responsible for the development of and tendering of advice to County Council on housing and urban renewal programmes. This task involves cooperation with provincial and federal agencies in such programmes as the Neighbourhood Improvement Program and land assembly. The County Land Division Committee and Committees of Adjustment will also require the assistance of members of the Department in the conduct of their activities. The Department should also be responsible for programmes aimed at the promotion of industrial and commercial development and tourism. (This is discussed in greater detail below.)

In assigning functions to the County and local councils, I have laid great stress on the need for the former to have control over certain basic services as the means of implementing planning policy decisions. The primary staff responsibility for advising County Council on the development of the arterial road system, the water supply system, the approval of sewage system extensions and other related matters rests, of course, with the County Planning Department. The operating departments have the task of technical planning and the operation of these services. It is essential to breakdown the existing feeling that the development of these major services can be considered in some way separate from the overall planning responsibility.

At present, responsibility for the promotion of industrial

and commercial development and tourism in Essex County is primarily in the hands of two independent private agencies, the Windsor - Essex County Development Commission and the Greater Windsor Visitors and Convention Bureau. Municipal representatives form a tiny minority on the governing bodies of these organizations. Despite the domination of the boards of both agencies by local businessmen and group representatives, private organizations make little contribution to their running costs. The overwhelming proportion of their funds comes from grants by local governments. In 1974, the operating budget of the Windsor-Essex County Development Commission totalled \$115,000 of which \$90,000 (78.4%) came in City grants, \$14,000 in County grants (12.2%) and \$4,000 (3.5%) from other local government bodies. In 1974, the Greater Windsor Visitors and Convention Bureau's revenues totalled \$68,553, of which \$54,400 (78.8%) came from the City and \$1,000 (1.5%) from the County.

While there is a limited informal liaison between these organizations and local planning bodies, they operate essentially as independent agencies. The research and data collection activities of the Commission are on a limited scale but are carried on independently. There is no assurance at all that either the Commission or the Bureau will operate in such a manner as to support and promote the policies and priorities laid down by area planning bodies. This is an indefensible situation. The promotion of industrial and tourist development using public funds is a tool which should be used to bring the public policies of local government bodies to fruition. While it may be useful to have the advice and assistance of the local business community in formulating and

implementing public policies on industrial and tourist development, policy decisions on such matters and the direction of the publicly funded programmes should be in the hands of elected representatives. If the business community wishes to engage in promotional activities and to follow an independent course in encouraging growth and development in the area, it should finance these independent agencies itself. The funds presently subscribed to private agencies to promote industrial, commercial and tourist development should be redirected to the Planning Department which should have responsibility for managing such public programmes.

The County Land Division Committee is presently responsible for dealing with applications for severances in eleven county municipalities; Committees of Adjustment have this responsibility in the remaining municipalities. The basic policy guidelines for the Land Division Committee and the Committees of Adjustment are set out in the major planning documents of the various municipalities. If the proposals made here are implemented, these guidelines will be established by the County Council in its plans. There should be uniformity and consistency in the granting of severances in the County; this could be best achieved by the County Land Division Committee's jurisdiction being extended to cover the whole County. I was struck by the degree of acceptance of the County Land Division Committee and the confidence which people appear to have in it. Appeals should continue to be dealt with by the Ontario Municipal Board in view of the significance that the control of consents has for provincial policies aimed at limiting the degree of urban sprawl.

The major responsibility of Committees of Adjustment is in

the granting of minor variances to local planning by-laws. There is room for debate on what constitutes a minor variance and there is the possibility that Committees may undermine the planning authority of the local municipality by a liberal interpretation of the word minor as well as by their interpretation of planning legislation. At present, the check on Committees of Adjustment is the right of interested parties to appeal decisions to the Ontario Municipal Board. However, it should be pointed out that municipal councils are responsible for the appointment and reappointment of Committee of Adjustment members. Thus it is their responsibility to choose people capable of understanding the Committee's role and who are aware of and in sympathy with the objectives of the Council as set out in its planning legislation. There has been considerable controversy in the City of Windsor over the manner in which the Committee has interpreted minor variances and its role in implementing the objectives of local planning legislation. To date City Council has not seen fit to use its appointment and reappointment powers to substantially change the situation.

Under the planning structure proposed in this Report, I have proposed that Committees of Adjustment should exist in each municipality. This is largely a matter of administrative convenience. Since I propose that building inspection be a local responsibility and since it would be inconvenient for local residents to deal with a single central body on relatively minor matters, local Committees seem most desirable. However, the local Committees of Adjustment will be implementing County planning legislation and in consequence their appointment should be in the hands of the County Council.

It seems to me that the present arrangement by which appeals against decisions of the Committees of Adjustment are to the Ontario Municipal Board is an unsatisfactory arrangement. Committees of Adjustment deal with minor matters in the context of local planning legislation. I can see no reason why a provincial body needs to be involved in this field. I propose the creation of a County Appeal Board, made up of local residents appointed by the County Council to deal with appeals from the local Committees. I have every confidence in the ability of the County Council to choose intelligent members, capable of rendering fair decisions. Such an Appeal Board could sit locally, deal with matters expeditiously and also bring local knowledge to bear in making decisions.

The County Land Division Committee and the Committees of Adjustment should look to the staff of the Planning Department for technical information and advice.

Building inspection is a function which must be provided on a decentralized basis. The inspection staff must have an intimate knowledge of the locality in which they serve and residents must have convenient access to a local office. Also, building inspection staff will have to be in close contact with local Committees of Adjustment. This is an area in which provincial standards are being established to be applied by local building inspectors. While contact will have to be maintained with the County Planning Department, I do not believe that this requires building inspection to be organized on a County-wide basis. Each of the local municipalities will be large enough to enable a properly organized office to be established. In my

view the most effective service would be provided by assigning this function to the local municipality rather than establishing a series of branch offices around the County.

WATER AND SANITARY SEWAGE SERVICES

It is impossible to discuss the organization of these services without some reference to the planning objectives which local governments seek to achieve. In the light of my discussions in the area and by reference to provincial policy statements, I have assumed that there are three major objectives: 1) to limit the general extent of urban sprawl in order to preserve farmland and in particular to direct urban style development so that it does not use up the most productive agricultural land; 2) to provide high quality services meeting the standards established for the protection of the environment and 3) to provide services at the minimum possible cost to taxpayers. Fortunately in the area of water and sewage services the means for achieving these objectives reinforce each other. The limitation of urban sprawl allows for the most economic installation of effective water and sewer facilities. Control over water and sewer facilities are among the most important tools which a local government has in the implementation of its planning policies.

The following discussion of the distribution of responsibility for water and sewage services is based on the assumption that the most appropriate structures are the ones which are most likely to allow for the fulfilment of the objectives set out above.

Water Systems:

Since the joining of Kingsville with the Union Water System, there are only seven water systems in Essex County. Water lines spread throughout the County to the extent that the systems come very close to meeting each other. At the moment, six of these systems are connected to other systems. Only the Stoney Point water system in Essex County is not interconnected with any other water system in Essex County. There is, therefore, a very extensive water grid spreading throughout the County. The other important characteristic of this developing water grid is that each of the water systems depends upon the waters of Lake St. Clair, the Detroit River or Lake Erie for its water source. Therefore, each of the water treatment plants is on the edge of the County with the water lines stretching inland towards the centre of the County.

In the City and in the towns, there are no immediately pressing problems of major proportions in water services. All have adequate water supply and water lines. The only capital expenditures likely are relatively minor extensions into new developments. In the townships, however, the situation is different. Many of the hamlets and numerous sections of strip development along major roads have waterlines. However, the townships are constantly under pressure exerted by residents in the municipality of non-farm homes which have been scattered throughout the County, who desire a municipally-provided water service. Strip development and water line extensions are two interacting factors. Allowing strip development along roads soon brings the demand for lengthy and costly extensions of water lines. These extensions encourage further strip development.

Since the major problem in water service in this County is in reality a planning problem, it is necessary that the major planning agency of the County - the County Council and its Planning Department - have some involvement in water service. The County Council has the responsibility for planning in all parts of the County. Therefore, it is vital that one of the major mechanisms for the limitation and encouragement of development - water service - be in the hands of the County Council. This, of itself, however, does not mean that all responsibility for provision of water must rest with the County Council. Keeping in mind the previously stated planning priority of limiting strip development, it is necessary that the County Council have the ability to prevent water lines from being put in which will encourage strip development. Therefore, it is recommended that no extensions of water lines be made without the approval of the County Council acting with the advice of its Planning Department.

In the brief description of the water system presented at the beginning of this section, two important characteristics of the system were pointed out. As a more and more complete grid develops with interconnections, a single water system for the entire County is rapidly appearing. The second important characteristic is the dependence of the central parts of the County upon the edges for water supply. Because of this interdependence of all parts of the County for water supply, it is recommended that the County Council be responsible for water supply. This means that it will be responsible for construction, maintenance and operation of the water intake and treatment facilities and for the main lines connecting municipalities.

When an integrated water supply system is set up, the costs of water supply should be equalized across the County. Two areas will be most notably affected by this equalization - those served by the Stoney Point Waterworks and those served by the A.J. Brian Station in Windsor. With these two exceptions, the costs of water production range between \$250 & \$450 per million gallons of water distributed. The Stoney Point plant output costs about twice as much. The A. J. Brian Station output costs about half the amount of the average.

TABLE 37: WATER PRODUCTION COSTS IN ESSEX COUNTY, 1974

Plant	Cost of Water Production \$	Volume of Water Distributed (Million Gallons)	Cost per Million Gallons \$
1. Detroit River Waterworks (Amherstburg, Anderdon, Malden)	140,917	352.98	399.22
2. A. J. Brian Station (Windsor)	1,093,529	10,275	106.43
3. Windsor-Tecumseh Joint Waterworks	305,061	1,066.95	285.93
Cost of production of all water consumed in Windsor	1,307,536	11,034.65	118.49
Cost of production of water consumed in Tecumseh	91,054	307.30	296.30
4. Belle River	154,795	350.5	441.64
5. Stoney Point Waterworks (Tilbury North)	95,025	100.3	947.41
6. Harrow-Colchester S.	25,900	72.28	357.91
7. Union Water System	494,268	1,894.6	260.88
CUMULATIVE	2,309,495	1,4112.61	163.65

Table 37 and Map 3 in Research Report #3 show which municipalities are serviced by each plant.

The lower-tier municipalities should remain responsible for the distribution of water to their residents. The responsibilities of the lower-tier municipalities would be the purchasing of water from the County supply system, the construction and maintenance of local distribution lines, the delivery of water to householders, industrial and commercial enterprises and the billing and collection of money for water used. The County should sell water to municipalities only. There are two reasons for retaining these functions at the lower-tier level. The first is the need for quick response when something goes wrong, eg. a waterline starting to leak. It seems that a local office would deal more satisfactorily with such problems. The second reason is the desire to arrive at equitable water rates. Our collection of information on water rates revealed a very wide variation in these rates. For example, in those municipalities which charge customers a flat rate (ie. do not have water meters), the monthly residential water rate ranged from \$3.35 in Kingsville to \$15.75 in that part of Rochester connected to the Belle River Water System. The metered water rates also differed substantially.

Two main factors contribute to water rates: the cost of the water intake and treatment plant and the cost of the water distribution lines. The equalization of the first set of costs across the County has already been recommended. The costs of water distribution vary considerably across the County. These costs are much greater in areas of scattered residential development. When a long line must be put in to service a relatively few people, costs of water distribution increase substantially. An excellent example of the financial effects of servicing such scattered development is in Tilbury North, where a water line has been constructed from

Stoney Point to Comber in Tilbury West. Users along this line pay the regular water rate paid by users in Stoney Point plus 82.9¢ per thousand gallons of water used. Gosfield South provides an example of the variety of water rates which can exist within one municipality even though all parts of the Township receive water from the Union Water System. The Township has been divided into three service areas with rates in September 1975 for the first 20,000 gallons used bimonthly varying from 38¢ per thousand gallons to 43¢ per thousand gallons to 70¢ per thousand gallons. These differences arise because of the costs of installation of local water lines. By having the determination of water rates and billing retained at the lower tier, it will be possible for some of these cost considerations to be taken into account in determining water rates. Each municipality will be able to decide for itself the extent to which it wishes to equalize distribution costs across the municipality. This will allow more fairness in the splitting up of water distribution costs than would having a uniform rate across the entire County.

Sanitary Sewage:

The provision of adequate sanitary sewage systems has become a major consumer of municipal energies and finances. Until recently, only the most densely populated municipalities had to focus their attentions on sanitary sewage. As of the middle of 1975, the only municipalities in Essex County with sanitary sewage systems covering all or part of their municipalities were Windsor, Amherstburg, Essex, Kingsville, Leamington, Tecumseh, St. Clair Beach, Anderdon and Malden. Since that time almost all of the other municipalities have had treatment and/or collection systems either

built or seriously under consideration. The growing need for sanitary sewage systems in the traditionally "rural" areas of the County has placed new burdens on the resources of these municipalities. Almost all of the municipalities in Essex County are faced with the potential of very costly expenditures in the immediate future on sanitary sewage systems. In the City and the towns, the energies and resources are focused upon the extension of collector lines into unserviced sections of the municipality (eg in Windsor) and the very costly separation of storm run-off sewage and sanitary sewage which are now in many cases running in the same lines thus overloading the sewage treatment facilities. In the townships, the focus is upon servicing the largest hamlets (eg Cottam, Comber, Stoney Point, McGregor) and upon avoiding extensions of the sanitary sewage systems. As this shows, the orientations of the two types of municipalities do differ. The urban areas are looking towards developing a complete system servicing the whole municipality. The townships, by contrast, have the orientation of wanting to prevent the need for providing sanitary sewage service. The dominant reason for this attitude on the part of township councillors is the extremely high costs involved in installing such systems in areas of dispersed residential development. The only way of preventing an ever growing pressure upon townships to provide this service (both by residents and by the Ministry of the Environment) is strict controls upon residential development.

Like the water systems, sewage systems are one of the crucial mechanisms for implementing planning decisions. Therefore, as with water lines, it is recommended that all plans for sanitary sewage systems and extensions of sewer lines require the

approval of the County Council acting with the advice of its Planning Department.

In the case of water, I recommended dividing the responsibility for the operation of the system between the two-tiers of local government. The sanitary sewage systems, however, have some different characteristics which lead me to recommend leaving all aspects of operating the sewage system to the lower-tier municipalities. This means that the lower-tier municipalities should be responsible for the construction, maintenance and operation of the sewage treatment facilities and for the construction and maintenance of the sanitary sewage lines.

The outstanding differences in nature between the water and sanitary sewage systems lie in the relationship of each system with the neighbouring ones. As has already been discussed, the seven water systems serving Essex County have become interconnected with each other to the extent that we are now very close to having one county-wide water system. Each sewage system in the County, however, is a very clear, discrete unit. The only exception is the interrelation of the two treatment plants in Windsor. This difference can be partly explained by a time factor. Water lines, being cheaper to install and seeming to residents to be more immediately necessary even under conditions of relatively scattered residential development because of the inadequacy of the wells in Essex County, are demanded by householders before sewers. People are less willing to rely on wells for water supply than on septic tanks for sanitary sewage disposal. Therefore, the water systems are more widely spread across the County than are sewage systems. The question which arises is whether this is merely a time-lag.

Will sanitary sewage systems eventually spread out over all of the County just as the water systems do? Do the local people wish this to happen? At the beginning of our discussion on water and sanitary sewage systems, we made certain assumptions about the goals of residents and local politicians: the limiting of the sprawl of residential development, the preservation of environmental standards and the minimizing of costs. The long term goal is not the development of an integrated sewage system all over the County. It must be to retain discrete, separate systems and thus limit the further scattering of urban style development. Having the responsibility for operation of the sanitary sewage systems at the County level might serve to encourage their integration. To develop a structure which would predispose policy makers to view the operation of local sewage systems from a county-wide perspective would undermine one of the central objectives of county-wide planning.

The other factor which has led to the water systems developing into a county-wide grid system is the dependence of central parts of the County (the Town of Essex, for example) upon the shoreline for the location of its water supply (the Union Water intake just south of Ruthven in Essex's case). This interdependence is not the same in sewage services, since the treatment facility can be located well inland and since there is not a need for a pipeline carrying effluent to the shore. For example, in the Town of Essex, sewage is treated in lagoons at the edge of Town. The effluent is then released into the Puce River and River Canard where it is left to make its own way to the major bodies of water surrounding the County. In other words, water systems are closed, integrated systems; sewage systems are not. As a result, the provision of water services is more greatly aided by extensive cooperation across

large areas than is the provision of sanitary sewage service.

One of the criteria used in deciding upon the boundaries of the new lower-tier municipalities was to create municipalities that would be large enough to have the resources to create specialized administrations. This means that the new municipalities in Essex County will have the expertise necessary to plan sewage developments, to oversee their construction and to manage the daily operation of the treatment facilities. The County Administration does not need to play any role in overseeing the operation of the sanitary sewage systems. The Ministry of the Environment can be relied upon to inspect and make sure that the sewage is being adequately treated to turn out a satisfactory effluent.

PROVINCIAL INVOLVEMENT IN WATER AND SANITARY SEWAGE SYSTEMS

Since water and sanitary sewage systems are such major and vital municipal undertakings, the provincial government has become deeply involved in these two operations. There are three types of provincial involvement: 1) pressure on the municipalities to construct systems, 2) technical assistance and 3) financial assistance.

Over the past fifteen years, as residential development pressures have created new environmental concerns, the activity of the provincial government in these two municipal fields has changed considerably.

In the late 1950's, the only role performed by the provincial government acting through its agency the Ontario Water Resources Commission was that of urging municipalities to put in systems when it thought there was a potential environmental and health

concern. The only role the province played in the construction of water or sewage systems was the approval of the design for the system. The government's purpose was to make sure that the system the municipality was going to construct would deal adequately with the existing and likely future problems. For example, it would refuse to approve of a primary treatment sewage plant in an area where the water streams were not capable of handling effluent which had received only primary treatment. The provincial government at this time made no financial contribution to these systems. These were truly municipal projects.

Municipal Water Projects:

- 1) Windsor Treatment Plant
- 2) Windsor-Tecumseh Treatment Plant
- 3) Belle River Treatment Plant
- 4) Stoney Point Treatment Plant

Municipal Sewage Projects:

- 1) Amherstburg-Anderdon-Malden Treatment Plant
- 2) West Windsor Treatment Plant
- 3) Little River Sewage Treatment Plant (Windsor)
- 4) Kingsville Treatment Plant
- 5) Leamington Pollution Control System

However, the provincial government found that, if it wanted to have all the necessary systems built, it was going to have to take a more active role. It discovered that the smaller municipalities did not have the technical expertise necessary to deal with consultants and contractors or to deal with the intricacies of financing. The provincial government also suspected that treatment plants would not be properly operated and maintained by the smaller municipalities. Therefore, the provincial government undertook to reach agreements with various municipalities by which the Ontario

Water Resources Commission or its replacement the Ministry of the Environment would assume full responsibility for the construction (dealing with consultants and contractors) and also the operation of the plant. The province arranged the financing for the municipalities involved but did not assume the debt burden, that is the municipality incurred the debt itself. The Ministry maintains control over the operation of the system until the debt is paid off (usually 20 to 30 years).

Water Systems: Municipally Financed

- 1) Union Water System Treatment Plant and its trunk water lines
- 2) Addition to Belle River Treatment Plant
- 3) Anderdon-Colchester North water line
- 4) Rochester waterline

In the first part of the 1960's, the provincial government ran into additional roadblocks in its efforts to install water and sewage services. It now became concerned with getting these services into ever smaller communities (including strip development) in order to deal with pollution problems. But usually these municipalities were financially unable to have such works put in. Even if the municipality was willing to take on the costs and assume the debt burden, the Ontario Municipal Board frequently would refuse to approve the expenditures. Therefore, in the mid nineteen sixties, the provincial government developed a new way of financing water and sewage systems and thus deepened its involvement in these municipal functions. The province began to subsidize construction costs, spread capital payments out over a longer period of time (40 years) and assume the debt burden itself (thus avoiding having to obtain OMB approval). The subsidy varies according to the nature of the area up to a maximum of 75%. Its objective is to

keep the per household cost at a certain level. The Ministry operates the plant and charges back to the municipality the operating costs and the debt retirement costs.

Water Systems: Provincially Financed

- 1) Amherstburg-Anderdon-Malden Treatment Plant
- 2) Some Anderdon-Colchester North water lines
- 3) Colchester South-Harrow Treatment Plant
- 4) Water line from Stoney Point to Comber
- 5) Water lines in Malden

Sewage Systems: Provincially Financed

- 1) Belle River
- 2) Essex
- 3) Gosfield North
- 4) Harrow-Colchester South
- 5) Maidstone
- 6) St. Clair Beach
- 7) Sandwich South
- 8) Sandwich West
- 9) Tecumseh
- 10) Tilbury West

As provincial assistance in water and sanitary sewage systems has increased, municipal control over these projects has decreased to the extent that it is no longer fair to refer to these as municipal projects. Many of the smaller municipal governments actually have been relegated to the role of observers watching "their" project being designed, put in and operated by the provincial government. The provincial government not only insists on something being done for environmental reasons, but also oversees the designing of the project, determines which areas will be served, tells the municipality how the householders should be charged for the costs and even draws up the by-laws for the municipal council to pass. The Ministry of the Environment maintains

contact with the municipality throughout the time that a project is being planned. It relies upon the municipal council to act as its channel through which the provincial government can discover what the local residents feel their needs are and to keep the local people informed of provincial plans. But it is not really correct to refer to the interaction between the provincial Ministry and the municipal council as negotiations since the municipal council cannot refuse to accept a Ministry decision unless the municipality is willing to do without the provincial financial assistance. This means that local water and sanitary sewage systems are determined by the provincial perception of local needs (which parts of the municipality should be serviced and which not) and by the priorities set by the government for the province as a whole (for example, delaying the work on the Tilbury North sewage treatment system). One major problem is that such projects take an inordinately long time to complete. There is an enormous amount of frustration in the municipalities caused by the protraction of the negotiations with the Ministry. I have examined the record of discussions and negotiations involved in bringing projects to fruition and find it impossible to believe that the work involved could not be completed in a substantially shorter period of time.

I recommend a readjustment of this balance back in the direction of the municipality. The restructured municipalities will be large enough to have the technical competence to undertake for themselves major water and sanitary sewage projects. There are three adjustments which should be made in the relationship between the province and the restructured municipalities:

- 1) The County Council, rather than the Ministry of the

Environment, should be the body which has the central role in determining which parts of the municipality will be serviced by water and sewage systems. The province still has two safeguards which can protect its concerns with pollution and urban sprawl. The Ministry of the Environment will still be responsible for testing streams to determine if there are serious pollution problems, and will be able to force a municipality to act if such a situation exists. The Ministry of Housing's concerns with the possibility of a County Council not placing enough controls on urban sprawl will be dealt with in the Ministry's overall inspection of and ultimate control over county planning. It should not, however, have to be acting as a strict watchdog on each planning action of the County Council.

2) All debentures issued for the construction of water and sewage systems should be issued by the County and should appear as the debt of the County. Now many of the projects are financed by the Ministry. This has the result that it becomes the Ministry's debt. However, each year as debentures are retired they are charged back to the municipalities meaning that it is the municipality which pays off the debt. Therefore, it would give a much less misleading picture if this debt appeared as a debt of the County Government (to be recovered by charges on the benefiting taxpayers). This system was originally set up in order to avoid certain restrictions of the Ontario Municipal Board. However, this should only be necessary in the pre-restructuring situation when some municipalities were so small that they could not possibly have the financial ability to support major projects. (See Appendix 3.)

3) The grants now designated for regional municipalities only should be applied to the restructured County of Essex. This fifteen percent grant should apply not only to the county-owned water treatment plants and trunk mains but also to the sewage treatment plants and trunk sanitary sewers which will be owned by the lower-tier municipalities in Essex County. There are two ways in which the sewage systems have the justification for fitting within the existing regional grants even though they are owned by the lower-tier municipalities. Each local sewage system must be approved by the County Council and, therefore, will fit into the overall planning objectives of the County. Secondly, the provincial government gives a 15% grant for area water and sewage works serving two or more municipalities. With the exceptions of Windsor and Sandwich West, each of the restructured municipalities in Essex County will be an area municipality made up of two or more former municipalities.

In order to be able to set its own priorities, the provincial government should be able to determine how much money it wishes to put into water and sewage systems in any one year. This does not mean, however, that the province must decide on each project. Rather it should decide how much money it wishes to make available for water and sewage projects in the County as a whole. The County Council would then decide on priorities within the County.

SUMMARY OF RESPONSIBILITIES UNDER RESTRUCTURED COUNTY GOVERNMENT IN WATER SYSTEMS

a) Role of Lower-Tier Municipality:

1) Construction and maintenance of water distribution system (waterlines, meters and fire hydrants).

2) Billing and collection of charges on users.

b) Role of County Municipality:

1) Construction and operation of water supply system
(intake and treatment plant and trunk mains)

2) Selling of water to lower-tier municipalities.

3) Approval of water line extensions by lower-tier
municipalities.

4) Issuing of debentures for water supply and distribution
systems.

c) Role of Provincial Government:

1) Pay 15% grant to County on production, treatment and
storage facilities and trunk mains.

IN SANITARY SEWAGE SYSTEMS

a) Role of Lower-Tier Municipality:

1) Construction and operation of sewage collection and
treatment facilities.

2) Collection from users of frontage and connection charges
and water surcharge.

b) Role of County Municipality:

1) Approval of sewage lines

2) Issue debentures for construction costs

c) Role of Provincial Government:

1) Test streams for pollution levels

2) Demand sewage works if pollution problem is serious.

3) Pay 15% grant on treatment plant and trunk sanitary
sewers.

GARBAGE DISPOSAL

All municipalities in Essex County use the three sanitary landfill sites owned by the County of Essex for garbage disposal. There are no other municipally owned and operated garbage disposal sites in the County. The responsibility for garbage disposal should continue to be a function of the County of Essex. I recommend that three changes be made in the present system: 1) Landfill Site #2, in Gosfield South, should be completely integrated with the rest of the landfill system; 2) the City of Windsor should enter the cost sharing arrangement as an equal partner, and 3) the landfill committees should be abolished and their work taken over by Essex County Council.

In 1970, three landfill sites were opened by Essex County Council. These sites are located in Colchester North, Gosfield South and Maidstone. All three sites are on land purchased by the County Council. The debentures of all three sites are paid off in the general county requisition on all municipalities. It was originally understood that all three sites would be operated and managed by the County Council and County Administration. However, when detailed discussions on management began, those municipalities that were to be using Landfill Site #2 (Gosfield North, Gosfield South, Kingsville, Leamington and Mersea) chose to withdraw from the general system and manage their own landfill site independently of the other two.

This separation of Landfill Site #2 from the rest of the landfill system has had three negative consequences upon the original intentions behind setting up a county landfill scheme. It has broken down the flexibility in the system since the five members

of the Gosfield South site have passed a resolution prohibiting other municipalities from making use of "their" site. It has also led to a problem of responsibility for the proper operation of the site. Before a landfill site can be opened, a certificate of approval must be obtained from the provincial Ministry of the Environment. All three certificates of approval were issued to the County of Essex. Therefore, it is the County Council through the County Administrator which is ultimately responsible for being sure that the site operates in conformity with provincial regulations. But the landfill site in Gosfield South is under the management of a committee which is not linked to the County Council and administration. A representative of the County is not at these meetings. There is, as a result, no direct and accepted channel through which the County Administrator can oversee the operation of the site and thus fulfil his obligations under the regulations of the Waste Management Act. Finally, it was originally intended that costs would be shared amongst the three landfill sites so that municipalities dumping in one site would not find it more expensive than would the municipalities dumping in another site. The factors which lead to different operating costs at each of the sites were discussed in Research Report #3, pp 106 & 107. But the five municipalities using the Gosfield South site have dropped out of this system. As a result, the base rates have been equalized only for the Colchester North and Maidstone sites. In 1974, the base rates were: Colchester North and Maidstone sites - \$2.50/ton; Gosfield South site - \$1.50/ton. If these had been equalized including the Gosfield South site, the base rate per ton would have been approximately \$1.90 per ton. This means that for the

municipalities using the Colchester North and Maidstone sites the rate would have fallen by 60¢ per ton; it would have risen 40¢ per ton for the municipalities using the Gosfield South site. For these reasons, I recommend that Landfill Site #2 be completely integrated with the rest of the system.

Originally, the County of Essex had wanted the City of Windsor to use both landfill sites 1 and 3. The increased volume in both sites would have made each operation more economical and would have reduced costs for all users. However, the City of Windsor did not wish to use both sites since the Maidstone site was physically closer than the Colchester North site. The final arrangement was for the use of only the Maidstone site. This meant that volumes at the Colchester North site were not increased and, therefore, it remained as a high cost operation. The sharing of costs between the county municipalities using sites 1 and 3 helped equalize this situation. However, the omission of the City from this equalization system and of Site 2 means that all of the county municipalities using Sites 1 and 3 pay a much higher rate than the others. Therefore, it is recommended that the City of Windsor be included in the cost sharing system.

The following tables show the effects which the inclusion of the City and of the users of Site 2 (Gosfield North, Gosfield South, Kingsville, Leamington and Mersea) in the cost-equalization system would have. The figures are all based upon 1974. In other words, these tables show what the effect would have been if this equalization had been in effect in 1974.

TABLE 38: DEBENTURES ON LAND ACQUISITION PAID OFF IN 1974

<u>Paid By</u>	<u>Actual</u>	<u>If According to Equalized Assessment</u>	<u>Difference</u>
City of Windsor	\$ 44,063	\$49,535	\$ +5,472
Rest of County	32,145	26,672	-5,473
Total	76,208	76,208	

TABLE 39: PER TON COSTS OF GARBAGE DISPOSAL, 1974

	<u>Column 1 Actual Cost</u>	<u>Column 2 As distributed by 1974 method (Site 1 & 3, excluding Windsor, equalized)</u>	<u>Column 3 If equalized for all part- icipants</u>	<u>Difference: Column 3 minus Column 2</u>
Site 1	\$ 3.07	\$ 2.22	\$ 1.33	\$ -.89
Site 2	1.60	1.60	1.33	-.27
Site 3 (excluding Windsor)	1.08	2.22	1.33	-.89
Windsor (includes 10% administration fee)	1.13	1.13	1.33	+.20

Site 1: Amherstburg, Essex, Harrow, Anderdon, Colchester N.,
Colchester S., Malden, Sandwich S., Sandwich W.

Site 2: Kingsville, Leamington, Gosfield N., Gosfield S., Mersea.

Site 3: Belle River, Tecumseh, St. Clair Beach, Maidstone,
Sandwich S., Tilbury N., Tilbury W., Windsor.

Each of the landfill sites has a landfill committee made up of a representative from each of the participating municipalities. Once the differentiation in relationship to the County Administration between the Gosfield South site and the other two sites is removed, there is no need for the continuation of the landfill committees. There are usually only two types of matters

discussed at the landfill committee meetings: problems with the contractor who is responsible for maintenance of the site and problems with debris on surrounding roads and land. Generally what the committees do is approve and sanction things that have been done by the County Administrator. During all of 1975, the committee for Landfill Site 3 met only 4 times. The committees should be abolished. Garbage disposal should be an administrative function of the County Public Works Department. All matters requiring approval or policy decisions should be handled directly by the Essex County Council.

GARBAGE COLLECTION

Research Report #3, Table 34 specified by municipality the garbage collection arrangements. Depending primarily upon differences in the extent of population concentrations, the service provided varies considerably from municipally-provided service to private contractors agreement with the municipality to private contractors agreement with the individual householder. Service even varies within the municipality. With the exception of Sandwich West, in the townships municipal arrangements for garbage collection exist only in designated parts of the township - the more densely populated sections. In Gosfield North, Mersea and Rochester, there is no municipal provision of garbage collection. Because of this great variation in present provision of service and variation in demand for garbage collection services, it is desirable to leave this function with the lower-tier municipality. There is no need for a standardization of service across the County and no financial savings to be gained by having a county-wide

system of garbage collection. Each local municipality should be left to determine the areas to be serviced, the manner in which service is to be provided and the appropriate financial arrangements within its area of jurisdiction.

ROADS

The local and county roads systems serve different purposes. The purpose of local roads is to provide for the movement of people and goods within a municipality. The 1969 Roads Needs Study for the County of Essex describes the purpose of the County Roads System:

The King's Highway system provides a major service in inter-centre connections. The County Road System provides this same service, on a reduced scale, connecting the smaller centres of population and providing "farm to market" road links. Essentially the County System provides a road network within the cells of the highway grid.

The geographical locations of the County of Essex and the City of Windsor have had a significant bearing on the formation of the County Road System.

The City of Windsor is the industrial and commercial centre of the County. In addition, it is a border City, with bridge and tunnel connections to the U.S.A. Most of the King's Highways in Essex run in an east-west direction joining Windsor with the other major centres of Ontario. This leaves the County Road System to provide the major north-south links and to connect the southern part of the County with the City of Windsor.

This description is not completely satisfactory since it fails to stress the importance of commuter use within the County and between City and County. The designation of a large proportion of County roads as suburban roads is a recognition of the importance of commuter traffic.

I recommend that there continue to be separate County and

local jurisdictions over roads. This recommendation would not involve major changes in the nature of the local roads system. It would, however, involve substantial changes in the nature of the County road system. At present, the County road system is only a partial one involving roads in the townships. I recommend that it be an arterial road system serving both the areas in what are presently the townships and the urban areas within the restructured County. This would allow for the planning and development of an integrated arterial road system and simplify its administration and financing.

At present, there are no county roads in the towns or village. These municipalities do, however, support financially the county road system by paying the same mill rate as that paid by townships. In an attempt to redress the inequities involved in such an arrangement, the provincial government has provided two ways in which county governments must make financial contributions to the road systems in the towns and villages within the county. These are the urban connecting links and the urban roads rebate systems.

There are 11.4 miles of urban connecting link roads in Essex County. The provincial Public Transportation and Highway Improvement Act provides for connecting link roads in the following section:

57 - (1) Where a road in an urban municipality not separated from the county is not a part of the county road system but is an extension of or connects roads in the county road system, the county shall enter into an agreement in writing with the urban municipality for the maintenance of such road, and, if it is in the public interest that such road be constructed, for the construction thereof.

These agreements provide for a sharing of costs between the urban municipality and the county and for a splitting of

responsibility as far as maintenance and construction. Generally the county assumes responsibility for the condition of the pavement and snow removal. The urban municipality takes responsibility for signing, lighting, and the condition of the shoulders and ditches. In 1974, 0.3% of the Essex County roads expenditures were on roads within urban municipalities.

Section 57 of the same act provides for an urban rebate. This is a system by which the county returns to the town or village a portion of the monies levied on that municipality for road purposes. According to the act, "such contribution shall not be less in total value than 25 per cent or more in total value than 50 per cent of the amount levied on the urban municipality for county road purposes." The Council of the County of Essex has set this rebate rate at 40%. In 1974, this amounted to \$100,428.

This means that, out of the total 1974 county roads expenditures of \$1,921,023, five and a half percent or \$106,185 was returned to the urban municipalities. The rest of the budget - 94.5% - was spent in the townships. But approximately 30% of the money raised by levy on municipalities within the County came from the towns and village.

The City of Windsor is also involved in financing the County road system. Section 63 of the Public Transportation and Highway Improvement Act states that...

The Lieutenant Governor in Council, upon application of a county in which a county road system is established under Part VII, may direct that a commission be appointed in respect to each city or separated town in the county and, subject to the approval of the Minister, each commission may designate roads in the county road system as suburban roads and the city or separated town shall contribute towards the construction and maintenance of such roads in accordance with this Part.

The Suburban roads system is part of the county road system. The planning is done by the Windsor Suburban Roads Commission. Two of the five members of the Commission are appointed by the City Council. However, since the term of appointment is for five years, the power of appointment does not bring to the City any real control over the decisions of this body. The administration and operation of the suburban roads system is carried out by the county roads superintendent and his staff. The budget for the year's operation of the suburban roads system is prepared by the Commission with the advice and recommendations of the county roads superintendent. The Essex County Council allocates an amount of money for suburban roads within which the Commission must operate. Once the budget has been approved by the County Council, the City Council is obligated to pay whatever monies are charged to it provided the amount levied by the County Council does not exceed one-half mill on the provincially adjusted assessment of the City. The City Council has no discretion in the amount of money to be spent or in how the money will be spent. It must make a major financial contribution (\$171,309 in 1974) to an organization over which it has virtually no control.

TABLE 40: ANALYSIS OF 1974 COUNTY ROADS EXPENDITURES

Suburban Roads	\$ 667,640	34.8%
Other County Roads	1,253,383	65.2%
Connecting links	5,757	.3%
Urban rebates	100,428	5.2%
TOTAL	1,921,023	

TABLE 41: ANALYSIS OF 1974 REVENUES FOR COUNTY ROAD PURPOSES

Provincial Government	921,620	47.9%
City of Windsor	171,309	8.9%
County of Essex	816,889	42.5%
Proportion Towns & Village	30% (245,067)	
Proportion Townships	70% (571,822)	
Miscellaneous	11,195	.6%
TOTAL	1,921,023	

This system of financial contribution to the county road system in townships was set up in response to two assumptions made by policy makers. The first of these was that the county roads system benefits the urban dwellers. The second was that urban taxpayers were better able to afford the costs involved than rural taxpayers. Let us examine the validity of these two assumptions.

There can be little argument that urban dwellers in the City, towns and village use and benefit from the county road system. On the other hand, township residents also use the main roads in the urban settlements. In fact, as the population of the townships has grown and become more diversified, the township residents, including farmers, have become heavier users of urban roads systems in order to share in the employment, service, shopping and recreational opportunities concentrated in urban municipalities. At present, City, township and village taxpayers make substantial local contributions to the cost of maintaining the county roads from which they benefit. Township taxpayers make

only very minor contributions to the cost of maintaining the main roads in urban municipalities from which they benefit.

The second assumption is based upon the concentration of industrial, commercial and business assessment in the City, towns and village. But if one looks at the dollar value of equalized taxable assessment per capita of municipalities, it is not the urban municipalities which clearly have the ability to pay. In 1974 out of the thirteen townships in Essex County, seven had higher per capita equalized assessments than did the municipality in Essex County (including Windsor) with the highest per capita assessment among urban municipalities - St. Clair Beach. Only the townships of Colchester North, Sandwich West and Tilbury West had per capita assessments lower than the median per capita assessment for the urban municipalities. Also, when considering burden of property taxes, it must be remembered that, with the exception of Sandwich West, over one-third of the assessment of each township is farm assessment. But the provincial government pays back to the landowner 50% of the property taxes levied on farm assessment. In this way, the burden of taxes on many township residents is substantially decreased. It is unrealistic to look upon urban taxpayers as being better able to pay than rural taxpayers.

The assumptions on which the present county road system was created and financed have little relation to present reality. A much more equitable system relevant to the realities of the present day would be to create a county roads system in the restructured county in which the costs of a system of roads constructed and used to the common benefit of all residents of the area are shared according to the equalized taxable assessment of

each municipality. The decisions on the construction and maintenance of the county system should be made by the representatives of residents in all these municipalities. With these objectives in mind, I recommend:

- 1) The county connecting link roads in the towns and village should become part of the county road system.
 - 2) The King's Highway connecting link roads in the City, towns and village should become part of the county road system.
 - 3) The urban rebates should be eliminated.
 - 4) The Suburban Roads Commission should be abolished, the suburban roads becoming part of the county road system.
 - 5) The County Council should be responsible for all parts of the county road system.
 - 6) A Road Needs Study should be carried out immediately to determine which roads should form part of the county road system.
- Particular attention should be paid to county assumption of the arterial system in the City of Windsor.

The first step in the implementation of the new county roads system must be the carrying out of a new Road Needs Study for the County of Essex. The objectives of such a study would be to decide which roads should be in the county system and to outline the construction needs for the future. Once the Road Needs Study has been completed, it is possible to determine the financial implications of the restructured county system. At this point, it is only possible to point out some of the factors which will affect costs. There are three areas of adjustment in incidence of costs: 1) between the province and the County, 2) between present residents of townships and towns and 3) between the City

and the rest of the County.

The County Council would assume the King's Highway connecting link roads. These are presently roads which are part of the systems of the towns, village and City within the County. In Essex County, this would mean adding approximately twenty miles to the county road system; this includes eight and one-half miles of City of Windsor roads (Ouellette Ave. and Huron Line). This has the effect of decreasing provincial subsidies on these roads since they would be subsidized by the province at the same rate as all other county roads. The existing subsidy rates on the King's Highway connecting link roads are:

<u>Municipality</u>	<u>Miles of Road</u>	<u>Subsidy Rate</u>
1 - Windsor	8.5	75%
2 - Amherstburg, Belle River, Essex, Kingsville, Leamington	10.5	90%
3 - Harrow	1	100%

It has been the practice for the Ministry of Transportation and Communications to transfer certain highways from its own jurisdiction to the county jurisdiction when municipal governments have been restructured. This seems an unfair burden to be added to restructured municipalities at the same time as they are in the process of trying to adjust to so many changes at once. The provincial government should be discouraged from making such transfers soon after a restructuring. However, it is important that local politicians be aware of the probabilities. It is likely that the provincial government would want to transfer Highway 18A (the shoreline road between MaldenCentre and Kingsville) and that section of Highway 3 which goes through the Town of Essex.

The longterm effect of the transfer of King's Highway connecting link roads and provincial highways is to increase roads expenditures at the County level and to decrease provincial expenditures on these roads. The province does cushion the cost effects for the first five years by making special financial agreements which initially cover most of the added cost but which wind down over the five year period.

Presently the provincial government pays a 50% subsidy on expenditures on the Essex County roads system. In some cases of county restructuring, the provincial subsidy rate to the county has increased. If the additional costs incurred by the assumption of roads from added municipalities exceeds the assessment gained by the addition of these previously separated municipalities to the county system, the millrate for roads purposes may rise to the extent that the province will increase its subsidy rate. Provincial subsidy rates for county roads purposes vary according to the number of mills which the county would have to levy on the local municipalities in order to raise sufficient money to cover expenditures on roads. Up to a mill rate of 1.25 on the provincial equalized assessment, the provincial subsidy rate is 50%. As the mill rate rises, the province increases its subsidy rate. The province has, however, set a ceiling of an 80% subsidy at a mill rate of 1.875 mills. Beyond this point there is no further increase in the subsidy rate. When calculated on the basis of provincially equalized assessment, the roads mill rate for the County of Essex is now substantially below the 1.25 mills level. It is approximately .8 mills. Even under the most negative of assumptions, the roads mill rate would not rise to 1.25 mills after restructuring.

Therefore, the provincial subsidy rate on the county roads system can be expected to remain at the 50% level.

Restructuring within the existing framework of the policies of the Ministry of Transportation and Communications would result in the proportion of present costs covered by the municipal taxpayers in both the County and the City rising slightly while the province's proportion would drop slightly. The decreased subsidy rates on King's Highway connecting links under the new county system would have meant that local taxpayers would have paid approximately \$40,000 more in 1974. In addition, if Highway 18A and part of Highway 3 had been reverted to the County, local taxpayers would have had to pay around \$60,000 extra since the province would be paying only 50% of the costs of these two roads rather than the present 100%.

The other two areas of shifts in incidence of tax burden for county roads are among municipal taxpayers within the present structure in the Corporation of the County of Essex and between City and County taxpayers. In the relationship between upper and lower tier municipalities in the County excluding Windsor, there will be a slight shift from the county level to the lower tier. This is because of changes in the present arrangements between the County and the towns and village. The roads expenditures by the towns and village will be reduced because of the County's assumption of both the county and provincial connecting link roads. However, I have also recommended that the urban rebate be abolished. This means that in 1974, \$100,000 would not have gone back to the towns and village. This urban rebate covered approximately 3% of the expenditures of the towns and village on

their own roads in 1974. These two factors combined will probably result in a minor shift from the upper tier to the lower tier. The major internal shifts, however, occur at the lower tier through the combination of townships and towns into united municipalities. The lower tier municipality's road systems will be discussed later.

It is in City - County expenditures that the largest changes will occur. For the major adjustment brought about by restructuring the county roads system is the addition of the arterial roads of the City to the county roads system. It is impossible, at this point, to predict in detail the financial implications of this shift. A road needs study and the negotiations among provincial, county and city authorities over classification of roads will have to be completed first. Nevertheless, it is now possible to point out the factors involved in cost changes, the direction of cost changes and the general magnitude of the cost changes.

In reclassifying the roads of previously separated cities into a county roads system, the Ministry of Transportation and Communications uses the basic guideline that the county should not assume more than 20% of the city's roads. In estimating the possible additions this will result in for county roads expenditures, we must take into consideration that those roads that are assumed will be the arterial roads; this means that it is the higher cost city roads which will be assumed by the County. This means that, while according to Ministry policy the miles of roads assumed will not exceed 20%, the proportion of expenditures transferred from the City to the County level can be expected to exceed 20% of the City's present expenditures. Presently, about

24% of the City's roads expenditures is used to pay off debt on previously constructed roads. For the purposes of this analysis, it is estimated that the debt would be 35% of the total expenditures for arterial roads. This figure is of significance since it affects the calculation of the province's subsidy on the county roads expenditures. Debt payment is one of the items not eligible for provincial subsidy since the province already paid 50% of the costs when the work was actually carried out.

The figures in Table 42 have been calculated taking these two considerations into account. This table shows what the level of expenditures at the County level would be if there was a 25% shift in costs from the City to the County, a 30% shift or a 35% shift. The amount of this which would be debt is also indicated.

Table 43 shows the shifts which would occur in the local tax burden for roads purposes between City and County taxpayers. Because of its required financial contribution to the county roads system through the suburban roads setup, in 1974 the City paid 20% of the money gathered by the County of Essex from local taxpayers. There was no contribution made in return to roads within the City of Windsor. Under the restructured county system, the City would pay 65% of the money gathered from local taxpayers instead of the present 20%. This is because all expenditures of the county road system will be levied on each municipality according to the municipality's percentage of the total taxable equalized assessment in the County including the City. However, some of the roads within the City will now be paid for in the general County road levy.

TABLE 42: POSSIBLE CITY-COUNTY SHIFTS IN ROADS EXPENDITURES BASED ON 1974
ACTUAL EXPENDITURES

County of Essex	<u>Actual</u>		<u>After Restructuring</u>			
	\$'000's		If 25% shift in cost from City		If 30% shift in costs from City	
	<u>Total</u>	<u>Debt*</u>	<u>Total</u>	<u>Debt*</u>	<u>Total</u>	<u>Debt*</u>
County of Essex	1929	Ø	3684	614	4035	737
					4386	860

*Debt is included in "total" figure

TABLE 43: ESTIMATES OF REVENUE SOURCE FOR COUNTY OF ESSEX ROADS EXPENDITURES

\$'000's

Actual	<u>Total</u>	<u>Provincial Subsidy</u>		<u>By County Taxpayers</u>		<u>By City Taxpayers</u>
If 25% shift in Costs	1929	922		836		171
	3684	1535		752		1397
If 30% shift in Costs	4035	1649		836		1550
If 35% shift in Costs	4386	1763		918		1705

TABLE 44: TAXATION ON CITY RESIDENTS FOR ROADS

	For Purposes of County System \$'000's	For Purposes of City System \$'000's	Total \$'000's
Actual 1974	171	5334	5505
25% shift to County System	1397	4192	5589
30% shift to County System	1550	3956	5506
35% shift to County System	1705	3718	5423

An examination of Tables 43 and 44 shows how the proportion of City roads expenditures transferred through the assumption of City roads by the County would affect the incidence of taxes upon City residents and upon residents of the County. If there was only a 25% shift in costs from the City to the County level, City residents would pay more on roads than they did before restructuring. This is because the revenue gained by the County through the large assessment of the City (65% of the taxation in an integrated system) would exceed the transfer of costs from the City to the County. However, if more roads in the City were assumed by the County resulting in a 30% transfer in costs to the County level, County and City taxpayers would each pay the same amount on roads as they did before restructuring. If still more City roads and costs were transferred to the County level, the revenues gained by the County through the addition of the City's assessment would be exceeded by costs; County residents would now find themselves paying more for roads than they had prior to restructuring.

As this exercise shows, it should not be assumed that restructuring of the county road system automatically means that

City taxpayers will support roads in other parts of the County to a greater extent than they now do, nor does it automatically mean that County ratepayers will suddenly find themselves paying large amounts for roads within the City of Windsor. The situation is a very flexible one. It is at the time when the road needs study is carried out that policies will have to be made by politicians throughout the County as to the proper designation of a county system of roads and a proper distribution of costs.

Each lower-tier municipality will continue to be responsible for a local road system. After restructuring, the City of Windsor will be responsible for fewer roads than previously since its arterial system will have been assumed by the County of Essex. Since the City already has the equipment and employees to take care of all roads within the City, it would make good sense for the City Public Works Department to continue maintaining all roads - including county roads - within the City. Decisions on what is to be done on the county roads in the City would be made by the Essex County Council. The work would then be contracted back to the City. This would be a way of overcoming any inefficiencies which might be created by two public works departments working within the City's boundaries. It also would lessen the problems of major transfers of equipment and staff from the City to County level.

Each of the other seven municipalities in the County will have a roads system and a public works department responsible for its construction and maintenance. With the exception of Sandwich West where there are no boundary changes, this will result in the combining of existing town and township roads systems with each other. This will have two immediate effects: 1) upon the

equipment and staff available to a roads department and 2) upon the incidence of taxation for roads purposes.

In Research Report 3, Table 31 listed the roads employees and equipment by municipality. In the towns, the number of roads employees ranged from two in Belle River to twelve in Amherstburg. Eight of the townships had only two roads employees. Table 45 shows what would happen if the existing municipalities were combined, and their employees and equipment brought together. This would create departments with sufficiently large staffs to allow more specialization and organizational structure. Also, the resultant sharing of equipment could mean that, instead of the present situation where everyone has one of each of the major types of equipment, there could be less duplication of equipment and possibly the purchase of some special items that former small municipalities could not justify on their own. The greater resources available to each road's department and the cutting back of duplication should mean that each local municipality would be able to provide better service without requiring greater financial resources than previously.

Restructuring will result in shifts in taxation burden for roads expenditures between existing township and town taxpayers. There is not an overall one way shift in tax burden. For example, it is not true that all township residents will begin paying a larger proportion than previously while town residents pay less. In some cases, this will be the situation; in other cases, however, the result of restructuring will be exactly the opposite with present town taxpayers paying an increased proportion and township residents paying a decreased proportion.

TABLE 45: ROADS EMPLOYEES AND EQUIPMENT BY RESTRUCTURED MUNICIPALITY

<u>Municipality</u>	<u>Employees</u>		<u>Equipment</u>				
	FT	PT & Seasonal	Dump Trucks	Graders	Tractors	Front End Loaders	Pickup Trucks
Municipality 2: Sandwich West	10		5	1	1		2
Municipality 3: Amherstburg, Anderdon, Malden, Pt. of Colchester North	16	4	8	2		3	
Municipality 4: Harrow, Kingsville, Colchester S., Gosfield S.	15	2	4	2	4	2	2
Municipality 5: + Leamington, Wheatley, Mersea	10	6	3	3	2	1	1
Municipality 6: * Belle River, Rochester, Tilbury N., Tilbury W., Pt. of Maidstone	8	2	4	4	2	1	3
Municipality 7: * St. Clair Beach, Tecumseh, Pts. of Maidstone & Sandwich S.	6		2		2	1	1

backhoe, salter,
2 rollers, tar kettle,
tank distributor

street sweeper, tree
clipper, sprayer

sweeper, roller

stake trucks, sprayer

2 sprayers, mower

sweeper, water pump

TABLE 45: (Cont'd.)

<u>Municipality</u>	<u>Employees</u>		<u>Equipment</u>					
	FT	PT & Seasonal	Dump Trucks	Graders	Tractors	Front End Loaders	Pickup Trucks	Other Equipment
Municipality 8:*								
Essex, Gosfield North Pts. of Colchester North, Maidstone and Sandwich S.	10	1	3	3	2	2	2	sweeper, backhoe leader
* Maidstone and Sandwich South equipment and employees would be divided between municipal- ities 6, 7 & 8.								
Maidstone	4		3	2	1	1	1	
Sandwich South	4		2	1			1	backhoe, 2 snow plows, sander

+ This does not include Wheatley's equipment.

There are two levels at which shifts will occur between present town and township taxpayers: the county level and the local level. Because of changes at the county level, there will be some shift from township taxpayers to the town taxpayers because the cessation of the urban rebate will probably result in a greater loss of money than will the reduction in expenditures from the assumption of town roads by the County. However, it must be kept in mind that towns and townships will now be combined meaning that town residents will be directly benefiting financially from county expenditures on roads in the townships.

At the local level, the separation between township and town roads will cease. This means that formerly town and township residents will be paying for all roads within the new restructured municipalities. The shift in tax burden will vary greatly from municipality to municipality. The main factor involved in determining tax shifts is the present level of expenditures compared with assessment. A municipality which had low expenditures per assessment relative to another municipality with which it is combined could expect to see the tax burden on its residents rise while the burden on the residents in the other municipality would decrease, if the overall level of expenditure was unchanged. Table 46 shows the expenditures on roads per million dollars of equalized assessment in 1974. The present municipalities are grouped with each other in the same way as they will be combined into the restructured municipalities. As a result, by examining each group it is possible to gain an impression of the directions in which shifts will occur. The magnitude of the shift will depend not only upon the expenditures per assessment but also upon the relative size of the expenditures and assessment of each

municipality in comparison with the others in the same group. As a result, the municipality with the highest assessment in the grouping will have the largest effect upon the overall rate.

The purpose of this discussion has not been to present exact indications of taxation changes which would be expected after restructuring of the roads system. My only intention has been to give indications of the numerous factors involved in such a change over and to point out some of the trends which can be expected.

TABLE 46: ROADS EXPENDITURES, 1974

<u>Restructured Municipality</u>	<u>Equalized Taxable Assessment \$'000's</u>	<u>Expenditures \$'000's</u>	<u>Expenditures per \$Million equalized assessment</u>
Municipality 3:			
Amherstburg	53,550	134	2.5
Anderdon	50,478	146	2.9
Malden	37,287	112	3.0
Part of Colchester North	3,342	126*	4.9
Municipality 4:			
Harrow	15,836	87	5.5
Kingsville	31,755	103	3.2
Colchester South	43,682	164	3.8
Gosfield South	61,191	142	2.3
Municipality 5:			
Leamington	95,025	297	3.1
Wheatley	10,071	18	1.7
Mersea	97,568	356	3.6

TABLE 46: (Cont'd.)

<u>Restructured Municipality</u>	<u>Equalized Taxable Assessment \$'000's</u>	<u>Expenditures \$'000's</u>	<u>Expenditures per \$Million equalized assessment</u>
Municipality 6:			
Belle River	23,153	54	2.3
Rochester	40,102	128	3.2
Tilbury North	37,016	103	2.8
Tilbury West	10,582	116	11.0
Part of Maidstone	19,059	294*	2.5
Municipality 7:			
St. Clair Beach	18,392	16	.9
Tecumseh	35,070	52	1.5
Part of Maidstone	76,080	294*	2.5
Part of Sandwich South	26,048	127*	2.4
Municipality 8:			
Essex	20,135	194	7.0
Gosfield North	28,240	126	3.9
Part of Colchester North	22,133	126*	4.9
Part of Maidstone	12,933	294*	2.5
Part of Sandwich South	18,970	127*	2.4

* These are the expenditures for the entire municipality before it was split up into two or more of the restructured municipalities.

PUBLIC TRANSPORTATION

The Sandwich, Windsor and Amherstburg Railway Company (S.W. & A.) is the only municipally owned and operated transit system in Essex County. I recommend: 1) that operation of the S.W. & A. continue to be a responsibility of the City of Windsor; 2) that the S.W. & A. become a department of the city administration reporting through the City's chief administrative officer to City Council.

In the course of public hearings, it was proposed that the operation of the S.W. & A. become a responsibility of a restructured Essex County Council. Two arguments were advanced in support of this position. First, that a county-wide transit authority would be in a position to provide service outside the City should one of the private transit lines cease to operate. Secondly, that the S. W. & A. should provide extended service to the suburban fringe areas immediately adjacent to the City's boundaries.

At present, private carriers are providing bus service to all of the sizable population centres in Essex County with the exceptions of Harrow, Stoney Point and Comber. Given the scattering of population in the County and the costs involved in providing extended service, it seems unlikely that substantial expansion of the existing service is a practical proposition. It is doubtful if a private carrier were to close a particular line because of insufficient usage that there would be a strong demand for its replacement by a service subsidized by a levy on all taxpayers in the County.

Without a significant change in the attitudes of potential users, it seems unlikely that there will be a substantial demand

for public transit in most areas of the County. It is not desirable to assign a function to the County Council in which the overwhelming majority of the population of several municipalities has very little or no interest. What interest are local politicians and taxpayers in the eastern and southern portions of the County going to have in a system which serves only Windsor and its suburban fringe? It would not be possible to justify taxpayers throughout the County subsidizing a system to which large sections have no access.

The S.W. & A. system now extends into Sandwich West at two points. These extensions beyond the boundary of Windsor are only for short distances and the service provided is very limited. Until 1976, Sandwich West paid no money to the S.W. & A. for the service provided. Since the passenger fares from these runs did not cover the costs of operating the service, the operating deficit was met by contributions from the Province and the City of Windsor. Recognizing the inequities of such a situation, an agreement between the City and Sandwich West came into effect on January 1, 1976 by which any operating deficit on these lines would be paid by Sandwich West.

Further extensions of S.W. & A. services into the suburban fringe municipalities should be dealt with through similar inter-municipal agreements. A neighbouring municipality wishing S.W. & A. service should pay the municipal share of any deficit incurred by the City in providing the service. In this way, a certain level of service could be agreed on to meet the needs of the suburban residents without requiring City taxpayers to bear the burden of the increased cost. Such arrangements would provide for the

extension of the City's bus system into the neighbouring municipalities without the S.W. & A. having to become a County transit system.

At present the S.W. & A. is run by a Board of Directors (two of whom are council members and all of whom are appointed by council). This has the effect of sharply separating the S.W. & A. from the rest of the City administration. In fact, the separation is so wide that we found local residents who were not aware that the S.W. & A. is owned and operated by the municipality. It appears to be extremely unlikely that a comprehensive public transit system will be able to operate in Windsor, or any other Ontario city, in the foreseeable future without contributions from the public treasury. The major decisions concerning the system will involve decisions on the extent to which City funds are to be used to provide public transit services. All changes in the nature and extent of the service provided are bound to involve the question of the amount of the City's general revenues which should be devoted to this function. The allotment of funds provided will have to be considered in relation to the amounts to be spent on other municipally provided and financed services such as roads and recreation services.

The task of setting budgetary priorities in the municipality should clearly be the responsibility of City Council. The Council should consider the priority it wishes to assign to expenditures on public transit within the context of its overall budget. It should look to its chief administrative officer for advice on this matter and he should be in close and continuous contact with the management of the transit system. Only in this way will adequate attention be paid to the proper role and position of public transit services by the City Council. A closer integration of

the S.W. & A. into the City administration would also facilitate the coordination of its services with those provided by other City departments.

ESSEX REGION CONSERVATION AUTHORITY

- 4 - (a) Where a regional municipality has been established, the regional municipality, on and after the 1st day of January after it is established,
- (b) shall be a participating municipality in the place of the local municipalities within the regional municipality as are wholly or partly within the area under the jurisdiction of a conservation authority and shall appoint to each such authority the number of members to which the local municipalities would otherwise have been entitled as participating municipalities.

The Conservation Authorities Act.

It is provincial practice that the regional or restructured county municipality take over the functions of the lower tier municipalities in the appointment of members of the Conservation Authority. I recommend that, in the case of Essex County, this should be taken one step further. The Essex County Council should be deemed to be the Conservation Authority.

It is more appropriate to have the County Council act as the Conservation Authority here than in many other parts of the province because there is a close geographical congruence between the Kent-Essex County border and the Essex-Lower Thames Valley Conservation Authority border. All of the land mass of the Essex Region Conservation Authority is within Essex County. Parts of the present townships of Tilbury North, Tilbury West and Mersea fall within the Lower Thames Valley Conservation Authority. In determining the mill rate to cover the expenditures of the Conservation Authority, the County should exclude the assessment in those areas

in the Lower Thames Valley Conservation Authority and levy on the municipalities along the eastern boundary taking this into consideration. The County Council should appoint members to the Lower Thames Valley Conservation Authority. The Lower Thames Valley Conservation Authority will requisition funds from the Essex County Council on the basis of the assessment within its Authority borders. This in turn should be levied on the border municipalities.

The governing board of the Conservation Authority is made up of representatives from each municipality in Essex County plus three people appointed by the provincial government. At the moment, the municipal appointees are actually members of the municipal council by which they were appointed. It seems probable that this situation arose because the municipalities realized that the Authority has power similar to that of the school boards. That is, it has the power to demand payments from the municipalities without the municipalities having the power to review and make revisions on their own in the Conservation Authority's budget. In Essex County, the municipal councils have tried to lessen this separation of the Authority's budget-making from municipal council budget-making by having council members sit on the Authority. Nevertheless, there remains much misunderstanding and resentment by municipalities of the Authority's power to requisition funds. This desire of municipal councillors to themselves serve upon the authority has meant that, with the exception of the three provincial appointees, there is no opportunity for private citizens with a deep concern about the possible activities of the conservation authority to sit on the authority's governing body.

Because of this legitimate concern of municipal councillors of including the Conservation Authority's activities within their overall planning and budgeting and also because of the fortuitous circumstances of the near proximity between the eastern boundary of the Authority and of the County, it is recommended that the Essex County Council be the governing body of the Essex Region Conservation Authority. It is also recommended that an advisory body be established. This advisory body could include a maximum of three provincial appointees plus private citizens and a member of the County Council.

The administration of the Conservation Authority should be carried out by a separate department of the County Administration.

DRAINAGE

I recommend:

- 1) Each lower tier municipality should be responsible for providing for the drainage requirements within the municipality.
- 2) Local drainage plans should be forwarded to the Essex County Conservation Authority for comment, with the County Council having the ultimate power to require changes.
- 3) The Essex County Conservation Authority should be responsible for shoreline protection.

The drainage needs vary significantly from area to area depending upon soil conditions and the use which the land is being put to. This, combined with the detailed proceedings involving considerable and repeated negotiation with individual land owners especially when carried out under the Drainage Act and the small-scale very localized nature of most of the drainage projects,

indicates that drainage should be a lower tier responsibility.

Installation of artificial drainage systems can have disruptive effects upon natural drainage patterns by causing destruction of certain existing flora and fauna or creating siltation or pollution problems or creating drainage problems in other areas. The Essex County Conservation Authority is the major body responsible for resource management in the County. Therefore, it is essential that it have some role in drainage decisions. The municipalities should be required to forward drainage plans to the administration of the Conservation Authority for its comment before construction is begun. If the administration of the Conservation Authority is not able to persuade the local municipalities of the merit of its recommendations for changes in drainage which the municipality is planning on making and if it believes that the plans for drainage will have sufficiently negative consequences, the administration should be able to forward its objection to the decision-making body of the Authority - the Essex County Council. The Essex County Council should, then, be able to require changes. This should not be looked upon as a procedure by which all drainage plans of the local municipalities require approval of the upper tier. The Conservation Authority should exercise discretion; only in those instances where it feels the outcome of the actions of the local municipality will be seriously negative should it report the proposed action to the Essex County Council. The Conservation Authority should also act with haste in making its comments so as not to have the local municipality experiencing delays in its plans.

The shoreline of Essex County is both a major hazard for

those who live along it and a major recreational facility for all residents in the County and elsewhere. Because of its present and potentially even greater value to all people in the County, responsibility for shoreline protection should lie at the county level. In recognition of their common interest in the condition of the shoreline, all the municipalities in the County through their members on the Essex Region Conservation Authority have already had the Conservation Authority undertake a Lakeshore Fill and Floodline Study. This responsibility should be extended to include the responsibility for undertaking shoreline protection works.

PARKS & RECREATION

The parks and recreation facilities and programmes are concentrated in each of the urban centres of Essex County - the City, the towns and village and LaSalle in Sandwich West Township. Unlike several of the other municipal services which are concentrated in urban centres, in particular items such as water and sewage lines, usage of the service is not limited to those who are living adjacent to the facility. People living in the townships, even though they rarely have major municipal recreational facilities in their own township, do use recreational facilities, primarily community centres and arenas, in the nearest urban municipality.

There are two main reasons for the minimal recreational development in the townships. First, it must be remembered that township residents do not have the same need for municipally-provided green spaces as do town and city residents, since they are not crowded into small lots or into apartment buildings.

The second reason is that, to be economically feasible, a park or recreational facility must be used by a sizable population. Since townships have dispersed populations, they do not have a natural focal point upon which to create a recreation centre. Since township residents do much of their shopping and business in neighbouring towns, it is natural for them to go to the towns to use recreation facilities as well.

Recognizing this cross-boundary use of recreation facilities, many municipalities contribute to the plans of other municipalities or cooperate with each other in jointly building and operating a facility. (See Research Report #3, Table 44.)

As can be seen in Research Report #3, Map 4, each of the lower tier municipalities in the restructured county government contains at least one recreational focal point for the area. The present pattern of intermunicipal agreements and grants for recreational purposes indicates that the proposed lower tier municipalities correspond quite closely to the recreational patterns that have been developing spontaneously over the past decade. The combination of townships and towns into single lower tier municipalities will allow this natural development to be brought to fruition. It will allow for a pooling of resources by all those using the facility. This could result in a further development of recreation programmes; in particular, it should make it possible for each lower-tier municipality to hire a full-time qualified recreation director. In addition, the delays and ill-feelings frequently occurring in the process of trying to reach an agreement for the joint construction and operation of a facility will be overcome. The bitterness that sometimes results from towns feeling that

townships are freeloading by not contributing sufficient money to the costs of the town's programmes will also be overcome.

I recommend that parks and recreation be a function of the lower tier municipalities. As has been shown, there is a reasonably close correspondence between the boundaries of the lower tier municipalities and the recreation communities that have developed. Certain publicly-owned facilities are of a regional nature drawing people from all parts of Essex County as well as the United States and other parts of Canada. These include federal facilities (Point Pelee and Fort Malden), provincial parks and nature reserves, properties owned by the Essex Region Conservation Authority, and some of the parks and recreational facilities of the City of Windsor. Few municipally-owned and operated facilities are of a county-wide nature. Those properties of the Conservation Authority will remain as now the responsibility of the county-wide authority. The parks and facilities of the City, although some do attract people from outside the City, are still overwhelmingly used by the people of the City of Windsor. Therefore, there is no reason why they should be paid for by all people in the County.

Removal of the parks and recreation function from the lower-tier municipalities probably would have a very negative effect upon the participation of individuals and organizations in the development of programmes. The field of parks and recreation is unique among municipally-provided services in the extent to which it relies upon private organizations and groups for support. Many municipal councils depend heavily upon the initiatives of groups and individuals for the shaping of programmes, the staffing of programmes and for fund raising in the community. Nothing

should be done that would threaten to destroy this cooperation between the municipality and private organizations and individuals.

There is now a vast number and variety of types of committees, boards and commissions responsible for parks and recreation facilities and programmes. These forty-seven bodies break down into the following types:

Parks Committee of Council.- 7

Parks Board - 5

Recreation Committee - 14

Community Centre Board - 8

Arena Board - 2

Recreation and Community Centre Board - 3

Parks, Recreation and Community Centre Board - 1

Cemetery Board - 2

Other - 5

Seven of these bodies are in the City of Windsor. Forty are in the rest of the County. Much of this fragmentation is induced by provincial legislation which regulates municipalities in piecemeal fashion. It requires substantial revision to allow municipalities to develop a more integrated approach to parks and recreation matters.

Parks and recreation is an area in which the municipality depends very heavily upon the voluntary work of members of the community. A natural concomitant of this is citizen participation in policy making. On the recreation committees and boards of management, a majority of the members are non-council people.

Ambiguities and haziness arise around the respective roles of these boards and committees and of the municipal council. In

many cases, these boards and committees seem to see themselves as being the equivalent of bodies such as the library boards. This means that they see themselves as responsible for determining policies and priorities, putting together a budget which goes to the municipal council and for the day-to-day administration of parks and recreation. In other words, they see the municipal council as an approving body only while the board or commission plans and operates the service. This results in the council which is truly responsible for the parks and recreation programme becoming separated from the whole operation. It also means that the administration of parks and recreation is separated from the municipal administration. In the interviews which we had with municipal clerk-treasurers during the last three months of 1974, only Windsor and three other municipalities stated regular recreation employees when asked for a listing of employees. Discussions with recreation directors and arena managers indicated uncertainty on their parts as to what body they were responsible to. In general, they saw themselves as employees of the board but also had some feeling that they should be responsible to the municipal council.

Parks and recreation should be more directly a responsibility of the municipal council. The employees should be municipal employees, a part of the municipal administration. The citizen involvement should be advisory only. Each municipality should have one advisory committee on parks and recreation which will make suggestions to the municipal council on all matters in this field. The advisory committee should have one council member on it. Its role should be similar to that of the advisory committee on recreation in the City of Windsor.

LIBRARIES

The cost of a single 'quality' paperback book has risen rapidly in recent years so that a price of \$5.00 to \$8.00 is normal. For the price of one or two such books per capita residents of the County of Essex and the City of Windsor have ready access to hundreds of thousands of volumes, to a substantial record and film collection, to the professional assistance and advice of a sizable staff and to a variety of educational, cultural and recreational events. While there is much talk of bargains in the private sector, this term is rarely used in discussion of public services. In fact, library services represent a bargain of truly astronomic proportions for residents of Essex County.

The public libraries of the area provide a range of different types of service to residents. For those in full-time education, they provide supplementary educational services. For those in part-time education programmes or for people involved in self education, the public library is an essential centre for their activities. For the small child and the older person in particular, the public library provides the most important public services in the leisure and recreational field. It is a mistake to think of library services as simply revolving around the borrowing of books from a local facility. Libraries' services can provide access to a province-wide stock of books, access to a large collection of non-print materials, information and reference services and facilities. The public library is a natural centre for cultural and recreational activities in the local community. What is more, it is impossible for private individuals to duplicate these facilities and services through private efforts. For

many thousands of Essex County residents, public library services make a contribution as important to their quality of life as roads, water systems or arenas and playing fields. There is an unfortunate tendency by some public officials to regard public library services as extra or supplementary services to the 'basic' services provided by municipal governments and to regard them as being essentially "minority" services. In fact, many public services are minority services in the sense that they have a substantial impact on the lives of only a minority of the population. In the case of library services, the minority is a large one with the potential for great expansion. The present state of library services means that relatively small expenditures, in relation to the total expenditures of local governments, can have a substantial impact in improving the quality of life of a large number of local residents. It should be an important aim of reform to bring library services more into the stream of local government activities and to promote the assessment of priorities in this field in relation to those in other fields of local government activity.

At present there are four library systems operating in Essex County. The City has its own system; the County system established in 1966 provides service in nineteen municipalities and local systems exist in the towns of Belle River and Leamington. Each of these systems belongs to the Southwestern Regional Library System which provides certain services to each local organization, promotes cooperation between them and links them to the Provincial Library system. Because of the nature of library services and the social integration of the entire community, the existing boundaries

between the territories covered by the local systems have even less significance than they do for other local services. Residents of the County have free access to City facilities and services and vice versa and residents of Belle River and Leamington can and do use County and City facilities and vice versa. Since the size of the system is crucial to the immediate access to library materials and to sophisticated services, the pattern of cross boundary usage is for County residents to make substantial use of City facilities and for Leamington and Belle River residents to receive assistance from the County system. Thus, County residents, particularly the large number who work in the City, use the City's central reference collection and borrow from its branch collections and the County provides materials and advice to Leamington and Belle River.

The City maintains the only large reference collection in the area and its Central Library is both a borrowing and working centre for City and County residents who need access to large and sophisticated collections and services. The City also operates a branch system which provides a lending service to local readers and a range of cultural activities in the neighbourhoods of the City. The County system is a branch library system, providing the same kinds of services as the City branch system to a much more scattered population in the County. There are seven City branch libraries, while the County operates twelve branches and also provides service to the less densely populated areas through its bookmobile. The Leamington and Belle River systems provide what is essentially a single branch library; in the case of Belle River, this is a severely restricted service. The County system

is serviced from a central headquarters in the County Building in Essex which looks after ordering, special services and regular rotation of the book stock of the community branch libraries. The failure of Leamington to join the County system may have inhibited the capacity of the County to develop a headquarters branch with some reference facilities. Since Leamington is the largest town in the County and is the major population centre at some distance from the City's central library, it would seem to be the natural location for such facilities.

There is considerable variation in the level of financial support for public library services between the various systems. Each receives a grant from the province, based on population, in support of library services and without reference to the local level of service offered or the circumstances in which the system operates. The province has sought to encourage the development of County Library systems and, as an inducement to their formation, provides a special \$15,000 annual grant to the County to assist with central administrative costs. The province also makes a sizable annual grant to the Southwestern Regional System to be used at its discretion. In fact, their funds are used primarily to finance special services, such as special non-print collections and to facilitate intersystem communication and cooperation. The level of local support is determined by the responsible municipal Council on the advice of the relevant Library Board which is responsible for recommending an annual budget for and directing each system. The level of local support is highest in the City of Windsor; it is significantly lower in each of the other systems. This, of course, reflects in large part the special role of Windsor

in maintaining the only large central collection in the County which is housed in a recently completed building. It is also clear that the level of local support provided in Windsor has been growing at a significantly faster rate than is the case for the other library systems in the area. In the case of the two largest systems, the City and the County, local support rose from \$5.47 to \$8.45 per capita, an increase of 54% between 1972 and 1974 in the former and from only \$2.31 to \$2.66 per capita, an increase of 15% in the latter. While the monetary level of local support has increased in the case of the County system, the real level of local support in terms of constant dollars has declined in recent years.

Under the existing structure, the direction of library systems is in the hands of appointed Library Boards. While the Board is responsible for the general direction of the system's operations and for recommending a budget to Council, the Board's power in relation to financial matters is an advisory one since the Council is not bound by its recommendations. The Board is a lay body; its members have no special training relevant to public libraries. Neither is the Board representative of users since it is chosen by the Council not by any organization of those using the library services. The largest part of the Board's business is routine approval of decisions made by administrative staff and expenditures made within the budget approved by the Council. The number of policy questions facing the Board of an established library system is extremely limited in number. In any case, any significant policy matter is bound to have budget implications and the final decision on it will be in the hands of

the Council.

The existence of a separate Library Board has the effect of insulating the elected Council from involvement in library matters and thus from the background knowledge they require for exercising their discretionary authority on library finance. I recommend the abolition of Library Boards and the reporting of the chief librarian directly to the responsible municipal council.

The continued existence of separate library systems in Leamington and Belle River appears to me to be an indefensible anomaly in the present situation. I can not find a single advantage which occurs to the citizens of Leamington from operating a separate library system. I hesitate to call it a distinct system since in practice it is used by County residents in the Leamington area and the County library administration provides continuing advice and assistance to it. From a service point of view, integration into the County system would probably lead in the short term to only marginal improvement in service since cooperation is already so close. Leamington Branch Library would have ready access to the central service facilities, a large collection and the professional direction of the County system. At present, the costs per capita burden borne by Leamington taxpayers to support library services are higher than those borne by other County residents. On the basis of 1974 expenditures figures, integration into the County system would marginally increase the per capita cost to County residents and would reduce the burden borne by Leamington taxpayers. In terms of the County system as a whole, Leamington would clearly play an important role in any future development of services and facilities.

The separate Belle River system is a very small one. Its

collection is tiny and unlike the County branches it cannot draw on a substantial central collection for constant refreshment and renewal. The service provided is extremely limited. The capacity of the system is so limited that even contact with the County system, which might offset some of these disadvantages, is sporadic. The circulation figures for a town of Belle River's size and position in relation to the development around it have, in recent years, been very low. There is every indication that Belle River residents could expect to receive a very substantial improvement in service were the Belle River Library to be incorporated as a branch in the County system. In recent years, the Belle River system has not used all of the funds allocated to it by the provincial and local authorities.

TABLE 47: EFFECT ON LOCAL LEVY OF ADDITION OF LEAMINGTON AND BELLE RIVER TO ESSEX COUNTY LIBRARY SYSTEM BASED ON 1974 COSTS.

	Local Levy 1974 \$'s	Local Levy if Integrated System \$'s	Change in Local Levy \$'s
County (19 municipalities)	254,818	273,740	+18,922
Leamington	50,898	28,973	-21,923
Belle River	4,063	7,063	+3,000

While the case for the immediate integration of the Belle River and Leamington systems into the County Library system is overwhelming, the question of whether the City and County systems should be combined is a more problematical one. There are two aspects to this discussion - a service one and a financial one.

With over forty percent of the County's working population making daily trips to the City and many others following this path for educational and other purposes, the City's services can be viewed by many citizens as complementary to those provided by the County. The librarians in both City and County are primarily concerned with improving access to services for the people they serve so that no restrictive competition or unnecessary rules impede such cross boundary use. County residents have the advantage of a fully developed and responsive local system and access to the facilities of a highly developed City system. City residents can also use the County system if this is more convenient for them. In consequence, the combination of the two systems would make only marginal impact on the accessibility of services. The County system might benefit marginally because of the larger resources of the City system and the increased capacity that would bring in allowing the circulation of books through an enlarged branch system. The City may also be able to use the County's bookmobile service in its newer and less densely populated boundary areas.

From an administrative point of view, there is some case for suggesting that some minor savings may be possible through the use of central technical services but both of the existing systems are of sufficient size and under professional direction already so that such saving would be marginal at best.

The creation of a larger system raises some fear that there may be some loss of capacity to respond to the differing concerns of the City and semi-rural areas in the County. There is considerable, justifiable, pride in the County in the responsiveness of the existing system. However, the City also has a well developed decentralized system with a set of active branch libraries.

One potential weakness of the County structure is the small size of the professional staff. The general health of the system is heavily dependent on one or two senior staff members. The County has been extremely fortunate in this regard to date but this dependence on one or two people makes the County system vulnerable. The other area where there is some potential for development in a united system is in the increased capacity it would bring to provide special services to certain small minority groups. A larger system has, at least, the potential for greater flexibility in developing and extending services.

When one turns to the financial side of the picture, it is clear that City residents are paying for a library service which improves the library service to individual County residents - particularly to those who make use of the reference facilities and large specialized collection available in the City. To this extent the City taxpayer is effectively subsidizing the County user. However, one must also recognize that ease of access to the City's library services and particularly the central library is considerably greater on average for the City resident than the County one. At present there is a large difference in the level of local support by City and County taxpayers for library service; this difference has been increasing rather than narrowing. If the two systems were combined without changes in the existing level of services, and the local portion of costs was financed from a uniform levy, the cost to City taxpayers would fall and those to the County residents increase. (See Table 48.)

One significant element in the City Library budget is debt charges, particularly the payments required to finance the debt

on the main central library building. In 1974 debt charges amounted to \$377,869 or 29.14% of the City's local levy for Library purposes. The County has no debt outstanding on its library facilities. It could be argued that the outstanding debt on City facilities should be a burden on City taxpayers alone since County taxpayers have already paid off any debts on County facilities and since the central library facility confers greater benefits on City residents. Combining the systems under these conditions at existing levels of service would give the following financial picture.

TABLE 48: CHANGES IN THE DISTRIBUTION OF THE LOCAL LEVY IN A UNITED LIBRARY SYSTEM BASED ON 1974 COSTS

INCLUDING CITY DEBT CHARGES:

	1974 Local Levy \$'s	Local Levy at Uniform Mill Rate \$'s	Change in Burden on Local Taxpayers \$'s
City	1,674,636	1,289,000	-385,600
County	254,818	615,200	+360,400
Leamington	50,896	65,000	+ 14,100
Belle River	4,063	15,900	+ 11,800

NOT INCLUDING CITY DEBT CHARGES:

	1974 Local Levy \$'s	Local Levy at Uniform Mill Rate \$'s	Change in Burden on Local Taxpayers \$'s
City	1,296,767	1,043,600	-253,200
County	254,818	497,500	+243,000
Leamington	50,896	52,700	+ 1,800
Belle River	4,063	12,800	+ 8,800

The adoption of this approach to distributing costs would, however, still result in a substantial shift in the burden of costs to County taxpayers. The key question is whether this shift in burden is equitable in terms of the services presently provided to County residents through the use of City facilities and any change in services which would occur immediately on combination of the two systems?

The above calculations are, of course, based on a completely static analysis. They take no account of any planned extensions of service which might occur in the County following amalgamation of the two systems. It is logical to assume that new service extensions probably would confer greater benefit on County residents, particularly if Leamington was developed as a second central service centre. It would be possible to spread the impact of the transfer of the tax burden in a unified system over a period of time during which some further equalization in the level of service between existing City and County areas could be implemented.

The alternative to combining the system would be to continue the two systems with continued cooperation between them. Under this arrangement, financial equity would be achieved by the payment of a contribution to the City's costs by taxpayers in the present County based on an analysis of the use of City facilities and services by the latter. This would be a clumsy arrangement and a possible source of friction within the community but it is necessary if financial equity is to be assured.

In the light of the above discussion, I recommend:

1. That a single County Library system be created by amalgamating the existing Essex County, City of Windsor, Town of Leamington

and Town of Belle River systems.

2. That the City of Windsor be responsible for servicing the debt of the existing City Library System.

3. That the County Council of the restructured County determine if it would be most equitable to stage the shift of the tax burden over a period of three years.

4. That a County Library department be established to administer the County Library System under the direction of the County Council.

The Province of Ontario provides financial assistance to local library systems in three ways: a flat rate per capita grant, a payment of \$15,000 per annum to County Library systems, and by financing the Regional Library System which provides some services and grants to local systems. Apart from the payment to assist the County Library system, there is nothing in the grant structure to direct or even encourage local systems to offer a specified level of service or to make expenditures on specific categories in the budget. The sole effect of the present system is to relieve local taxpayers of some of the burden of expenditures of supporting some kind of library service. One is forced to ask if, in these circumstances, the continuation of a separate library grant serves any useful purpose which could not be served by decondition- alizing the grant and paying the same amount of money through an addition to the general grants in support of municipal activities. If it is provincial government policy to make a special effort to encourage the development of library services in the province, then surely the grant should be used to encourage the development of facilities which provincial policy makers feel are lacking. The logic of this position would be to offer special assistance to

encourage systems where local taxpayers show a willingness to provide services financed from local taxation. Grants to meet the costs of providing such special services as bookmobiles, central reference collections and services to the physically handicapped would serve to upgrade the level of service in the province.

A recent report on the provincial library system (The Ontario Public Library Review and Reorganization) proposes the development of public information services based on local libraries. In my view, there is much merit in both the development of improved public information services and in using the local library systems for this purpose. The local library is readily accessible to the vast majority of the population; it is viewed as a neutral organization by citizens and for many people is already seen as a place where one can obtain friendly assistance in getting information. (At least this is my observation of the situation in both the City of Windsor and the County of Essex.) The placement of a public information service in the library would have the advantage of bringing the service to the attention of a large number of people and in turn would direct attention to the full range of library services.

POLICE

The present pattern of provision of police services grew up without any overall planning. Its complexity and irrationality are testimony to that. One of the main characteristics of the existing arrangements (no one could reasonably use the word system to describe these) is the uneven financial burden it imposes on local taxpayers. For example, let us examine the local per capita cost of providing police services in the City and the immediately adjacent municipalities. In 1974 local forces existed in the City and in Sandwich West; Tecumseh had a contract with the Ontario Provincial Police covering local policing, while Sandwich South was policed by the regular detachment of the Ontario Provincial Police based in Essex. The financial consequences of these arrangements, expressed in terms of policing cost per capita, were:

	City \$'s	Sandwich W. \$'s	Tecumseh \$'s	Sandwich S. \$'s
Total Expenditures Per Capita	41.5	27.6	18.0	0
Provincial Grant	5.0	5.0	5.0	0
Per Capita Amount to be raised by local taxes	36.50	22.6	13.0	0

To some extent these stark differences are attributable to different levels of service. Police costs are exceptionally high in the City because of higher demands for police services in large urban centres and also because the City is a major border crossing point. It may well be too that local forces provide somewhat more intensive policing although it should be noted that in 1974 the ratio of police officers to population was 1 to 832

in Tecumseh (contract with O.P.P.) whereas it was 1 to 917 in Sandwich West (local force). However, the major differences in cost are attributable to provincial policies. The province has determined that certain municipalities shall obtain local policing without cost to the local taxpayers, as in Sandwich South. In other cases, such as Tecumseh, it allows the Ontario Provincial Police to make contracts with local municipalities which do not reflect the full cost of providing the services. Finally, the provincial police grant is a flat rate per capita grant which does not reflect differences in the demands for police services between municipalities of substantially different size and nature and which is paid at the same level to municipalities which operate local forces and those who have contracts with the Ontario Provincial Police. In fact, there is even greater discrimination in the manner in which the police grant is distributed in that municipalities with the responsibility for providing local policing for part of the municipality receive the grant for the total assessed population of the municipality. Thus, in Maidstone, the municipality with the highest equalized assessment per capita in the County and the most favourable ratio of industrial, commercial and business assessment to residential and farm assessment, the provincial grant for police purposes covered 93% of local expenditures on police in 1974. This compares with 12% in the City of Windsor and 18% in Sandwich West.

The major differences in local police costs per capita cannot be attributed to differences in the rates of pay to police officers to any large extent. As a result of the spread of collective bargaining and the decisions of arbitrators where

local bargaining has failed to produce a settlement and compulsory arbitration has occurred, the pay scales of police officers of equivalent rank approach uniformity.

The complexity of the administrative and financial arrangements for the provision of police services in Windsor and the immediately adjacent municipalities is mirrored in the rest of the review area. A total of ten municipalities have local forces ranging in size from two officers in St. Clair Beach to over three hundred and seventy in Windsor. Outside Windsor, all of these forces are small and in seven instances consist of eight officers or less. In Harrow, Malden, Tecumseh and Belle River small local O.P.P. detachments police the entire municipality under contract; the more urbanized parts of the townships of Maidstone and Gosfield South are policed in the same fashion. Despite the small size of the forces, all of the regular officers have received, at least, recruit training and some efforts have been made to provide more advanced training for certain officers. In the City, the four towns which operate local forces and the Township of Sandwich West, the local force comes under the direction of a police commission. In the Village of St. Clair Beach and the three remaining townships which operate local forces - Anderdon, Colchester South and Mersea - the municipal council is the police governing authority. In the remaining seven townships and parts of Colchester South, Gosfield South, Maidstone and Mersea, local policing, but not the enforcement of local by-laws, is provided by the regular detachment of the Ontario Provincial Police based in Essex.

In 1974, costs in those municipalities with an O.P.P. contract varied between \$11.00 per capita and \$22.00 per capita

but in all cases they were lower than municipalities which supported local forces where costs per capita varied between \$23.60 and \$41.50. The extent to which the local costs of municipally provided policing were met by the provincial police grants varied enormously between 15% in Amherstburg and 93% in Maidstone. The ratio of police officers to population varied a great deal even among those municipalities with policing by local forces or under contract from 1 to 534 in Windsor to 1 to 966 in Malden.

Because of the existence of ten local forces, five local O.P.P. detachments and one regular detachment of the O.P.P. all operating within a relatively small and heavily settled area, cooperation between forces is extremely important. Such cooperation is formalized in the organization of dispatch services with Sandwich West selling this service to Anderdon and Amherstburg, and Leamington selling it to Essex, Kingsville and Mersea. Lock-up facilities exist in the City, in Leamington and at the O.P.P. station in Essex; other local forces make use of these facilities when they require them. Informal cooperation between forces in cases of emergency appears to be highly developed subject always to the requirement that a force's first responsibility is in the policing of its own territory. I have the impression that informal cooperation, facilitated in part by the use in some instances of common dispatch facilities, is closer between local forces than between these and the Ontario Provincial Police. However, it should be noted that the existing communications system is not standardized over the County and this represents something of a barrier to cooperation. Perhaps as important to good cooperation as some of the formal arrangements are the relatively informal

contacts between chiefs in their County-wide organization and in the more formal organization of officers in the Essex County Police Association.

In hearings and meetings in the County, public comment in relation to police services was mainly concerned with three questions. A number of residents commented on the availability of police services in rural areas policed by the O.P.P. While some of these were satisfied with the level of service, others were not. The complainants all referred to personal experiences which made them unhappy with existing service largely as a result of what they regarded as a very slow response to calls for assistance. In a number of cases, they compared this experience with their own or that of friends or relatives in municipalities with a local force. However, such complaints were limited in number. The second issue concerned police costs. A number of residents expressed the view that these were inequitably distributed among county residents. Most residents who commented were aware that police costs had been rising and understood that this trend was common to all municipalities. Rather surprisingly most of those who commented felt that increases in costs were inevitable if police salaries were to stay in line with the general level of salaries and if well qualified men were to be retained in the service. The most often discussed issue was the relationship between the local forces and local politicians. My attention was drawn to a number of local controversies in recent years in the County where bad relations between a local chief and the municipal council usually had the result that the chief had left and been replaced. Comments on these incidents varied depending on the perspective of the person making them; however, all of those who commented expressed concern that

such incidents had a deleterious effect on local service. I found, largely as a result, that virtually all of those who commented on the form of administration favoured the Commission form on the grounds that it involved councils dealing with police matters at arms length.

A major review of police services in Ontario was undertaken by the Task Force on Policing in Ontario which reported in 1972. Its Report made a number of recommendations on organization and financing which are relevant to Essex County. The Task Force condemned the proliferation of small forces and the fragmentary character of the present organization of police services. It favoured the elimination of small forces pointing out that full twenty-four hour policing by officers working regular shifts and receiving periodic training was impossible for forces with fewer than six officers. It believed that police forces needed to be considerably larger than this minimum size if they were to have the flexibility and expertise to provide high quality policing. It expressed serious doubts about the capacity to provide this in municipalities with a population of less than 15,000 people. At present, only one municipality, the City of Windsor, exceeds this minimum size in Essex County and, largely as a result, the Task Force recommended a very drastic reform in Essex County. Under its plan, the City of Windsor would continue to operate an independent local force but all other local forces in the County would be eliminated. Local policing in the present County of Essex would be provided by the Ontario Provincial Police under a contract between the County Council and the provincial force. The channels for local input into the decisions on the provision of local

policing would be the contract negotiations and contact between County Council and the local O.P.P. commander.

The Task Force made much of the existing inequities in the financing of local police services. It proposed that the O.P.P. should serve all parts of the County and that costs incurred under the County contract be met through a uniform County rate. The Task Force felt that the current inequities were so substantial that immediate action should be taken to reduce them pending the implementation of their overall organizational plan. Their proposals involved the reduction in provincial unconditional grants to municipalities receiving free O.P.P. local service and the charging of full costs to municipalities having contracts with the provincial force.

In my view, the conclusions reached by the Task Force on the minimum size of municipality providing police services and on the inequities of the present financial arrangements for local policing are indisputable. Their proposal for local policing on a County-wide basis by the O.P.P. was made in the light of the existing municipal structure. The case for that arrangement would be seriously undermined if the municipal government of the area was restructured along the lines suggested in this report. In addition, I do not believe that the Task Force paid sufficient attention to the matter of local input and local control over the direction of policing in its report. Although the Report laid great stress on the importance of personal contact between individual officers and small police units and the public, it did not carry this emphasis over into its proposals for overall organizational reform. This criticism of the Report was made in a dissent to the organizational recommendations by William Archer Q.C., an

experienced Toronto municipal politician. He wrote:

"I am concerned that there has not been adequate recognition of the matters of local responsibility, local autonomy and the fact that local municipalities have been and will be, paying the major portion of the costs of police operation."

Given the highly integrated nature of the Essex County community, the mobility of its population and the widespread urban style of development, I can see no justification for the existing differences in service and the financial inequities between municipalities. A far more coordinated and systematic approach to the provision of police services is required to provide uniformly high quality policing. The financial burden should be shared by all those who benefit from the services provided; this means all residents of the County. There are three alternative structures which would be conducive to the provision of high quality local policing with a more equitable distribution of the financial burden involved. Each of these alternative structures would be preferable to the plan proposed by the Task Force on Policing in Ontario. They would do more to promote local contact with and responsiveness from local police forces and would give the local community a substantially greater degree of control over a service it is paying for.

In the following pages, I have discussed some of the advantages and disadvantages of the three alternative structures. These are:

Alternative 1. A Regional Force serving the existing City and County areas.

Alternative 2. A City Force serving the City of Windsor and a County Force serving the other seven proposed municipalities.

Alternative 3. Local Forces in each of the eight proposed lower tier municipalities.

Alternative 1. A Regional Force

The main advantage of a regional force is that it could provide a high level of service across an area which is highly integrated socially and economically. It would equalize the financial burden on local taxpayers throughout the area. A regional force would be large enough to have a full range of specialist staff and services which would be available in all parts of the County. Individual members of the force would have access to training and to an expanded range of career opportunities. I believe this is important. The young officer who joins a very small force lacks the opportunity to gain a wide range of experience and has very limited career prospects within the force. The sizable regional force is bound to have a greater degree of flexibility in operations. The existence of a single force would eliminate any problems which arise from the fragmentation of jurisdictions in the area.

The possible disadvantages of a regional force stem largely from the limited degree of local involvement and control over police services which would be possible. Policing is a face to face service which is likely to be provided most effectively where the force and the police governing authority are in close contact with the local community. The nature of police functions and the style of policing in small towns and semi rural areas is sufficiently different from those appropriate in a medium sized city to justify separate administrative structures in these areas. There is a tendency to exaggerate these differences in the County of Essex

but I do believe that they are substantial enough to be worthy of recognition. It would be possible within a regional force to take some account of such difference in the internal organization of the force. However, such internal fragmentation would erode some of the advantages of large scale organization and it would not permit a high degree of local involvement in the direction of the force.

The crux of the matter is that residents of the existing County are convinced that there are significant differences in the nature of the police services required between City and County; they fear that City interests would dominate in a regional force and that it would not be sufficiently responsive to local conditions. In consequence, a regional force may be regarded by many of them as an outside organization and public support for it would be undermined. Given the need for public confidence in and public cooperation with the local police, I believe this would be a serious matter. Initially there will be resistance to a fair distribution of the burden of police costs. Those who benefit from the inequities which exist under present arrangements are unlikely to be enthusiastic about seeing their advantage disappear. The institution of a regional force would involve a major shift in the burden of the local financing of police services from City to existing County residents. The regional force would have to face the hostile reaction that such a drastic change would create and this too would limit its ability to obtain cooperation and support.

In short, while the case for a regional force is a strong one on technical grounds, there must be serious doubts about the efficacy of such a change given the present state of public opinion in the area.

Alternative 2. A City Force serving the City of Windsor and a County Force serving the other seven proposed municipalities.

The existing City force is of sufficient size and covers a large enough area of jurisdiction to enable it to enjoy all of the benefits of large scale organization. A County force would be created by the amalgamation of existing local forces in County municipalities and the hiring of additional personnel to provide policing throughout the seven proposed municipalities. The County force would be of sufficient size to capitalize on many of the advantages of a larger scale organization discussed above in relation to the Regional force. The City and County forces would have to cooperate closely together but such cooperation would be facilitated by the fact that both would have specialist personnel. In my view, cooperation works best where there is some degree of equality in capacity between the organizations involved.

The creation of a County force would permit the development of a more integrated communications system in the area it served and between the City and County forces. It would promote the development of a uniformly high standard of local policing across the area. It would be a small enough organization to facilitate contact between senior officers and community leadership in the various parts of its area of jurisdiction. The creation of a County force would be responsive to the suggestion that different styles of policing are appropriate in the central City and other parts of the County.

The main objection to a County force is that it would not serve a clearly defined community. Its leadership would inevitably be somewhat remote from the local community leadership within

the County. The pressure for uniformity of standards and services from the force would make it difficult for it to respond to the particular requirements of each community within its area of jurisdiction. The contact between the local community and its police force would not be maximized.

From the financial point of view, the existence of a County force would increase the total cost of providing local police services in the seven municipalities concerned since it would replace the O.P.P. detachment providing contract policing and 'free' policing over a considerable area. This would lead to an increase in the tax burden in the areas which are not presently served by local forces and perhaps some minor transfer of the tax burden between the existing towns and townships. However, the existence of separate City and County forces would not add to this the transfer in local tax burden between City and County which would occur if a regional force was created.

Alternative 3. Local Forces in each of the eight proposed lower tier municipalities.

This alternative would leave the City and Sandwich West local forces undisturbed and require the creation of six new local forces by the amalgamation of existing local units and the hiring of additional personnel.

The local forces outside the City of Windsor would be substantially larger than most existing units but still be relatively small in provincial terms. They would be at or close to the minimum size recommended by the Task Force on Policing in Ontario. Clearly forces of this size would lack some of the flexibility, capacity to develop specialized services and to provide career

opportunities which exist in the City and which would exist in a County force. Nevertheless, local forces of the size contemplated under this alternative would be large enough to allow for a significant improvement in these respects when compared with the existing situation.

With the existence of eight local forces in the area, very close cooperation would be required among them and some sharing of facilities and expertise would be necessary to make the best use of equipment and personnel. Improvements in the overall communications system in the County would be vitally necessary.

The greatest advantages flowing from this form of organization would arise from the identification of the local force with the local community. The potential for close cooperation between the police force and the general public would be maximized. One peripheral advantage would be that the organization of local policing on this basis would help to increase the identification of the public with the new municipal structure. The lower tier municipalities proposed here are of the minimum size required if policing is to be organized effectively on a local municipal basis.

In my meetings and hearings in the County municipalities, I found a clearly expressed preference for the organization of police services on a highly localized basis and a wide spread belief that the effectiveness of the local police forces was substantially dependent on this.

The creation of new local forces policing the entire municipality would, as in the case of alternative 2, increase the overall costs of local policing and lead to a similar change in the pattern of local taxation. Since each force would be supported by each local community, the overall distribution of the

financial burden would be somewhat different from that in alternative 2 since assessment is not uniformly distributed over the whole County. The total cost of providing a uniformly high standard of police services would, in my view, not be substantially different in alternatives 2 and 3.

In my view, the balance of advantage makes it difficult to choose between alternatives 2 and 3. Those who have greater experience of police administration than I have may find the case for a County force more compelling than I do. Three factors have weighed particularly heavily with me in making my recommendation: the importance of ensuring 1) that there is local control over local policing, 2) that the structure promotes close contact between police forces and citizens and 3) that the necessary reorganization be accomplished with the minimum of disruption. The changes proposed are substantial and will require careful planning. I recommend that the police function be assigned to the lower tier of municipal government and that a local force provide policing in each of the eight proposed municipalities.

It is difficult to make any precise estimate of police costs for the County or local municipal forms of organization since both involve substantial changes from the existing form of organization. However, I believe it is desirable to make some attempt to make such an estimate which will at least give some idea of the magnitude of the costs involved and of the shift in the burden of costs between residents of various parts of the County. These estimates have to be made in terms of 1974 costs since these are the latest figures available to me. They can be updated when more recent data becomes available.

The following estimates of 1974 police costs for a County force and for local municipal forces are based on experience in the seven County municipalities which support local forces policing the entire municipality in 1974. They use two assumptions:

1. The average cost of maintaining each police officer in these seven municipalities in 1974 would be the average cost of maintaining an officer in a County force or a reorganized local force. In 1974 these seven municipalities spent \$1,294,000 in maintaining a combined force of 58 full time officers. The average cost was \$22,310. (This includes pay, benefits, equipment, additional services, etc.)
2. The ratio of police officers to population in the seven municipalities concerned averaged 1 to 798 persons, in 1974. This ratio is used to calculate the number of officers required to provide full local policing across the County (including the addition of Wheatley).

On the basis of these two assumptions, a County force would have required 139 officers in 1974 and its total expenditures would have been \$3,101,000. The same assumptions were used to calculate the estimated total expenditures in each of the six proposed municipalities which would have newly established total forces under alternative 3. The table below shows how the costs of local policing would have been distributed between the proposed municipalities under alternatives 2 and 3 in 1974.

County municipalities were making considerable expenditures in support of local policing in 1974. These totalled \$1,754,000 in 1974. The table below shows how these were distributed among the proposed municipalities.

Provincial grants, at the level of \$5 per capita were paid to County municipalities providing at least some local policing in 1974. These totalled \$446,000. An additional amount estimated at \$104,000 would have been available if local policing had been

TABLE 49: POLICE EXPENDITURES - ESTIMATES FOR FULL POLICING BASED ON ACTUAL 1974 EXPENDITURES AND 1974 PROVINCIAL GRANTS, ESSEX COUNTY

Proposed Municipalities	Estimated Expenditures on County Force \$'000's	Estimated Expenditures on Local Force \$'000's	Actual Exps* 1974 \$'000's	Actual Police Grant, 1974 \$'000's	Estimated Police Grant at \$5 per Capita \$'000's
2. Sandwich West	340	N.A.	380	67	67
3. Amherstburg, Anderdon, Malden, part Colchester North	440	424	367	69	75
4. Colchester S., Gosfield S., Harrow, Kingsville	464	491	282	88	88
5. Leamington, Mersea, Wheatley	617	602	396	106	106
6. Belle River, Rochester Tilbury N., Tilbury W., part of Maidstone	396	424	44	32	74
7. St. Clair Beach, Tecumseh, part of Maidstone, part of Sandwich S.	474	357	171	50	65
8. Essex, Gosfield N., part of Colchester N., part of Maidstone, part of Sandwich S.	372	424	128	34	75

* Where a municipality is divided, I have fractioned police costs on an assessment of the area served basis and provincial grants on a population basis.

provided by municipalities throughout the area of the proposed municipality. In 1975, the provincial police grant increased by 60%, from \$5 to \$8 per capita, so that the proportion of police costs to be met from provincial grants rose. I have used the \$5 per capita grant rather than the \$7 regional police grant in making the estimates set out below since under present conditions this is the grant which would have been paid.

Although the same assumptions concerning cost are used for estimates for alternatives 2 and 3 the distribution of the burden between municipalities is different, since a County force would be financed by a uniform mill rate on the total assessment in the seven municipalities.

It should be stressed that these estimates are for a level of service substantially higher than that presently provided in large parts of the County.

Present provincial policy is that the higher level of police grant goes only to those regions which have a regional police force. It is not clear whether a County force serving the area outside Windsor would qualify for the higher level of grant. In my view, even under the present conditions attached to the grant it should qualify. A County force would replace the provision of local policing by regular detachments of the Ontario Provincial Police and would allow for the coordination of police services over a considerable area. It seems to me that, under the present conditions applying to the provincial police grant, the local municipal forces would not qualify for the regional level of grants. This is a matter where clarification should be sought from the Province. The difference in the level of provincial assistance if

a County force should qualify for the higher level of grant would be considerable. It would have been approximately \$220,000 in 1974 and approximately twice that in 1975, approximately \$450,000. Clearly this would be a substantial factor in weighing the choices in the form of police organization.

The whole basis on which the higher level of grant is given in support of local policing should be a matter for reexamination by the province. At present, it clearly serves as an inducement to the reform of police organization, but only if that reorganization leads to the creation of a regional force. It also assists those municipalities which have taken on extra burdens in policing areas hitherto policed by the provincial force - thus producing a saving of provincial funds. Further, it encourages the development of a system of police organization with greater capacity to provide high quality police services. It is possible to meet these objectives without the creation of a regional force. As I have explained above, I believe that these objectives would be met by the adoption in Essex County of either of the schemes described as alternatives 2 and 3. In consequence, it would seem appropriate to provide the higher level of provincial assistance without insisting on one form of police organization, the regional force, which in my view would be inappropriate in the light of existing local circumstances in Essex County.

The adoption of either scheme 2 or 3 would not, under present conditions, even if these were slightly modified to take account of the County force proposal, lead to the City of Windsor qualifying for the higher level of grant. In my view, this is regrettable and unfair. The City of Windsor has a special case

for qualifying for the higher level of police grants. It is the only major city in Ontario which is directly adjacent to a large U.S. metropolitan area. In consequence, it is an important border crossing point, a factor which results in special demands for local police services in addition to the demands already existing in a sizable urban community which is an important regional centre. Police costs per capita are particularly high in Windsor because local police services are provided not only in the interests of the local community but those of the entire province. The above sounds like a case of special pleading. It is, because Windsor is a special case where police services are concerned.

In the above discussion, I have made a number of comments about the fears expressed by many people of local political interference in police matters but I have also laid great stress on the importance of local control. My first inclination is to place the local force directly under the control of the municipal council particularly in view of my belief that the elected representatives should have direct control over the expenditure of tax revenues. However, in the light of the public's concern with political interference, I have come to the conclusion that both public confidence in the force and internal morale are likely to be significantly increased if the police governing authority is a separate committee with minority council representation. I believe, however, that it is crucial to the maintenance of local control that persons nominated to the authority be resident in the municipality. In consequence they can observe police services at first hand and be accessible to the public. I am not in favour of the appointment of judicial officers to police governing authorities since I believe

it essential that the neutrality of the courts not only be upheld in practice but seen to be upheld. I recognize that this view is not shared by many people who appear to feel that the prestige associated with judicial office and the experience gained in it particularly qualify judges to sit on police commissions. I do not accept either of these assertions. In fact, I believe that it is far more important in building public confidence in police forces to quite deliberately choose people from a wide variety of backgrounds to serve on police governing authorities.

The relationship between the police governing authority and the municipal council is extremely important. In present circumstances, I have observed that many municipal councillors feel that they are inadequately informed on police matters and, as a result, find difficulty in explaining developments involving police services to their constituents and in reviewing the annual budgets of police commissions. In order to promote contact, I suggest that a minority of members of the police governing authority should be made up of elected representatives and that council should have a more clearly defined control over the police budget. Since it is the elected representatives who must take responsibility for imposing local taxes, I believe they should have the maximum degree of responsibility for determining the total sum to be raised to finance police services. It is the responsibility of the governing authority to provide the best level of service available within the overall figure dictated by the Council. At present a police commission can refer the question of its budget to the Ontario Police Commission if it is unable to obtain council agreement to it. I would restrict the right of the Ontario Police Commission to be involved except in

cases where the local police governing authority certifies that the budget approved by the municipal council is likely to result in the existence of a threat to the maintenance of law and order in the municipality. Unless the O.P.C., on investigation, confirms this view, it should not have the authority to change a budget approved by the municipal council.

I recommend the following with respect to the organization of police services:

1. That a local police force provide local policing in each of the eight lower tier municipalities proposed.
2. That the O.P.P. surrender all responsibility for local policing in Essex County.
3. That all municipalities qualify for the maximum provincial police grant.
4. That a police governing authority be created in each municipality consisting of three residents of the municipality appointed for four year terms by the Solicitor General of Ontario and two members of the municipal council elected by the Council for two year terms at the first meeting of the council following the municipal elections.
5. That all existing members of local forces in Essex County be offered employment by the police governing authorities on terms and conditions no less favourable than those they presently enjoy.

FIRE

At present eighteen local fire departments provide service in the City and County municipalities. There is considerable cooperation in the provision of fire service between municipalities. With the exception of dispatching services, each of the instances of intermunicipal cooperation is between municipalities which would be joined together in the proposal for the reorganization of lower tier municipalities.

Responsibility for fire services should be allocated to the lower tier municipalities.

Each local municipality should have a single department responsible for service throughout its area. Having a single fire department in each municipality does not mean that service should be centralized with all trucks and equipment in one locale. Windsor, which has a single department, has seven fire stations distributed throughout the City. Each municipality will determine for itself the appropriate organization to meet specific local needs. There are clear advantages to be gained by the amalgamation of the existing eighteen departments into eight departments. The increased size of the area covered by each department will allow for more specialization in equipment than is presently possible. It is probable that some duplication of equipment can be avoided allowing more specialized equipment to be purchased.

At present, Windsor is the only department in the area made up entirely of full time employees. Sandwich West has a composite department, with six full time employees in addition to volunteer personnel. Amherstburg and Anderdon have part time chiefs, and Leamington has been considering the appointment of a full time chief.

The remaining personnel of these three departments and all of that of the other thirteen departments is made up of volunteers.

There is some question about the use of the term volunteer to describe what are in practice part time trained firefighters. However, its use does draw attention to the extent to which the existing local services are dependent on the recruitment of local citizens who are ready to take training and to serve in an emergency for very limited financial rewards. Volunteers or trained part time firemen have a central role to play in the system if a reasonable level of service is to be provided economically in most parts of the County. Representatives of the Essex County Firefighters expressed some concern over the effect that amalgamation of departments might have on the recruitment of volunteers. Clearly this is a factor which must be taken into account in any reorganization of fire departments. It is possible that the retention of local stations, an increased emphasis on training (discussed below) and improvement in the overall coordination of services will offset the effects of any loss of local feeling which may occur.

The increased size of the proposed fire departments will justify the employment of a full time fire chief in each municipality. The Essex County Fire Fighters Association drew my attention to the difficulties of providing adequate fire prevention and public relations programmes in the absence of a full time chief. A full time chief is also required to manage the coordination of services provided from a number of fire stations and should be able to participate in expanded training programmes.

The organization of training, particularly where there is a heavy dependence on part time staff who are available for only

limited hours, is a matter requiring considerable planning. The volunteer firefighter is unlikely to remain active unless he can obtain meaningful and interesting training which will equip him to work in emergency conditions. Small departments have limited capacity to arrange their own training programmes locally. While the province does provide some assistance and does run periodic regional schools, its assistance is limited. The Essex County Fire Fighters Association expressed dissatisfaction with the present amount of assistance they receive in training. Their dissatisfaction seemed to me to be well founded. More substantial assistance to individual departments and to joint efforts at the County level from the province certainly seems called for. The appointment of full time chiefs, the proposed increase in the size of the local departments and the proposals made below concerning a County Fire Coordinator would increase the capacity of local departments to make effective use of enlarged provincial programmes.

While it is difficult for volunteer personnel to attend extended courses outside the County, there is a demand for such training by full time personnel. At present the Ontario Fire College has very limited capacity to offer such training. There does appear to be a need within the Province of Ontario to expand the capacity for the training of full time men and local fire chiefs. I have commented on this because action on these matters which can only be taken at the provincial level has an important effect on local services.

All of the fire departments in Essex County participate in the county-wide Mutual Aid System. This is a detailed backup and standby system which any department can call upon in time of need.

The County Fire Coordinator, the chief of the largest department in the County-Windsor, is responsible for maintaining and operating the Mutual Aid System. At present the County Fire Coordinator has a very limited role. The Essex County Fire Fighters suggested that this role should be expanded to include the active encouragement of interdepartmental cooperation particularly in training and that the County Fire Coordinator should be chosen by local chiefs. Both of these proposals appear to me to have merit in a situation in which each of the municipalities had a full time chief. If the role of the County Fire Coordinator was expanded, some explicit recognition should be given to the office in the form of an honorarium from the County in order to encourage the person chosen to devote a regular portion of his time to the office.

There is presently some intermunicipal sharing of dispatching and it was proposed to me that a County-wide system might be appropriate. I asked the representatives of the Essex County Fire Fighters Association to comment on this. They were skeptical of the value of such a system stressing the importance of a dispatcher having an intimate local knowledge of the area when handling emergency calls and the lack of backup should a single system break down.

ANIMAL CONTROL

Animal control should be a function of the lower tier municipalities.

There is now much intermunicipal cooperation in this field. It consists of three types of cooperation: 1) the taking out of a joint contract for animal control service (eg. Amherstburg, Anderdon, & Malden with the Essex County Humane Society), 2) the separate hiring of the same person as dog catcher in several instances (not true cooperation), and 3) the sharing of dog pound facilities. Only in the circumstances of some sharing of dog pound facilities does the present cooperation extend beyond the boundaries of the proposed municipalities. These instances could be worked out by intermunicipal agreements.

Animal control is a service which requires immediate, local attention. If the service were made the responsibility of the County Council, it seems likely that it would be desirable to place a dog catcher full time in each municipality anyway. There are no obvious benefits to centralizing this function.

SOCIAL SERVICES

The municipalities in Essex County presently make major contributions in the following aspects of Social Services:

- 1) Financial social assistance including general welfare assistance,
- 2) Various forms of public housing and
- 3) Children's services including day nurseries and child placement outside of the family. These services are now administered

through the City and County governments (two separate departments within each of these municipalities), and five separate agencies. In addition, there are numerous other social services administered directly by local branches of the provincial government (eg. Family Assistance) and numerous independent agencies financed either primarily through government grants or private fund raising.

Social services have evolved over time in a piecemeal fashion. As new problems have arisen in society and/or as the people of society have become sufficiently concerned about a particular social problem and the difficulties of a particular group in society, new services have been provided frequently by a new administrative body. This has resulted in the proliferation of agencies providing social services. The result is confusion on the part of people who may be in need of social services. Just what is available? What are the options open to a person in dealing with problems? To which agency should one go in order to get information and assistance?

The other difficulty which arises from this multiplicity of social services agencies is the overlapping of function between agencies. Rarely are the problems of a particular person limited to the very specific functions of one agency. It is quite likely that an individual or family which is experiencing difficulty in one area is experiencing difficulties in other areas as well. This has two results. First, an individual or family may be dealing with more than one social agency at the same time resulting in repetition of form filling and sometimes conflict between what agencies are advising a person to do. Secondly, it results in the gradual expansion of the functions of each agency. Rather than staying strictly within the limited problem area they were originally

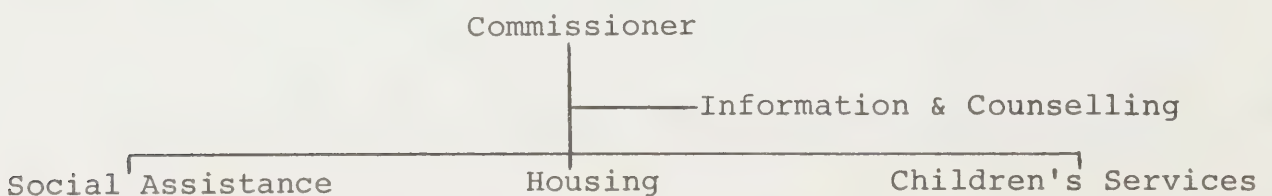
set up to deal with, the people and the agency will gradually expand into advising on other matters in the field of a separate agency. This is a natural response to the attempt of the social worker to provide the best possible service to clients.

Therefore, it becomes necessary to step back, to catalogue the various services provided and by whom, and then to see if there is a more integrated way in which social services should be provided, a method which will provide for easy access to social services and not take away from the personal service provided. The provincial government's "Task Force on Community and Social Services" of the early 1970's was such an attempt.

In line with this belief in the importance of simplifying the delivery system for social services, I recommend that the restructured county government set up one social services department which contains within it the responsibility for providing all those social services which presently receive a major part of their funding from the municipalities. I have not considered the possibility of shuffling social services functions from provincial to municipal level or vice versa or from private agencies to public agencies or vice versa. To do so would necessitate a major study beyond the scope of our present work.

The County Council should have a Social Services Department which contains four sections: 1) social assistance, 2) housing, 3) children's services and 4) information and counselling.

SOCIAL SERVICES DEPARTMENT OF RESTRUCTURED COUNTY



I - SOCIAL ASSISTANCE SECTION:

This section would be responsible for providing financial assistance in the forms of general welfare assistance, special assistance and supplementary aid. Its role would be only the determination of financial need and the distribution of money. It would not be responsible for counselling or rehabilitation programmes. These functions would lie with the information and counselling section of the Social Services Department.

At present, the lower tier municipalities do not administer these social assistance programmes. Only the Social Services Departments of the City of Windsor and the County of Essex administer them. The question which arises then is whether the City and County should share in the administering of the programmes and in paying for these programmes.

Before accessing the specific advantages and disadvantages which could arise in joining the two departments for this function, it is necessary to comment upon who should assume the responsibility for supporting those people receiving financial assistance. Under the present structure, residents of the City pay considerably more on a per capita basis for social assistance than do people in the County. People in the City pay more on a per capita basis not because they choose to provide a higher level of service but because more people in the City require and qualify under provincial legislation for social assistance. Despite the fact that both the City and the County use the same guidelines in determining need, the percent of population in receipt of general assistance is considerably more than twice as high in the City as in the County. This matches the pattern across the province. The cities

have higher rates of need for welfare assistance because people who are in a difficult situation tend to gravitate to the cities; for frequently they hope to find alternatives to their present living situations by sharing in the opportunities offered by the cities. The level of need in the City of Windsor is not, as a result, simply a product of the City's failings but of the community as a whole. As has been stressed in the first part of this report, the boundary between the City and the County is an artificial one. The community cannot be neatly split between City and County. It is unfair then for City taxpayers to assume a preponderance of the burden for the provision of social services for a community which extends throughout the County.

Combining the City and County Social Services Departments for the purpose of providing social assistance would not involve any major changes of level of service. Both the City and County Councils now provide all the forms of financial assistance provided for under the provincial guidelines. There are two major areas of difference, however: 1) counselling and rehabilitation programmes and 2) operating style.

In both counselling and rehabilitation, the City has a more highly developed programme than does the County. This is a product, not of differing orientation in the provision of social services, but of the difference in size of the caseloads of the two departments. Because of the limited number of cases handled by the County Social Services Department, it is not economically feasible to hire social workers and develop rehabilitation programmes. But, if combined with the City's Social Services Department, such services could be extended into the rest of the County.

The other major contrast is in the style of operation. In the City, the social assistance programme is heavily concentrated in the one central building. The overwhelming majority of applicants have their first contact with the department through that office and its always busy waiting room. The County operation is much more decentralized. There are two sub-offices (one in Amherstburg, the other in Leamington) as well as the head office in the Town of Essex. In addition, almost half of the application forms are filled out in the applicant's home without having to initially come into the office. This decentralization developed in the County because of the distances involved. It is unreasonable to expect an applicant for financial assistance to have to find a means of getting all the way from Tilbury North to Essex, for example. I am sure that the necessity of continuing this approach when the City and County Social Services Departments were combined would be recognized. I suspect that it would also lead to an examination of the methods of reaching applicants in the City system, particularly in a reexamination of the role of the central office in the City.

II - HOUSING SECTION:

The housing branch of the Social Services Department of the restructured county government should be responsible for the operation, maintenance and placement of people in all geared-to-income housing (both family and senior citizen), cost-recovery housing and the homes for the aged in Essex County.

This involves two major changes: 1) the combination of the five bodies presently responsible for housing into one branch of the County Social Services Department and 2) the transfer of all the

If all these forms of housing were operated by one body responsible for placement, it would be possible for municipal employees to inform citizens of the details of all the alternative forms of housing, and to help people weigh the various possibilities before them. This would be a major step forward in helping people deal satisfactorily with their housing problems.

Combining the placement function of the present five bodies could result in the development of more efficient placement procedures. It could be particularly advantageous since the transfer of senior citizens, should their health begin to fail, from senior citizen housing to a home for the aged could be done very smoothly since it would be an internal operation. Likewise there could be some sharing of maintenance, clerical and accounting staff.

Removing the present boundary between the City of Windsor and the County of Essex in housing matters would result in more flexibility for local residents in choosing the location of housing and also give the municipalities more flexibility when planning to deal with future housing needs. Presently, the County-City border creates a barrier forcing people to take public housing in the City if that is where they have lived for the past year or in the County if that is where they have been residing. This becomes a particularly serious problem in the matter of County of Essex people who want to move to a home for the aged. There is only one municipally-operated home in the County of Essex - the Sun Parlor Home in Leamington. For example, people living in Tecumseh have to go to Leamington thus separating them to a much greater extent from their original community than they would have been if they could have gone to the Huron Lodge in Windsor. Clearly people in

the northern part of Essex County often choose to enter a privately-operated lodging home or nursing home rather than being so separated from their family and friends. This is indicated by the preponderance of people from the southern part of the County in the Leamington home (83.2% of all the residents in the home as compared with only 68.4% of the people over 65 in the County). Removing the political barrier between the City and the County could lessen this problem. In addition, combining the needs of the City and the County could possibly justify the building of another home for the aged in the northern part of the County near Windsor.

Similarly in the geared-to-income housing field, having the City and County combined would bring greater flexibility. At present, the Essex County Housing Authority has only forty-one family units; these, because of their small size, are all suited only to small families. The City, by contrast, has more and many larger family housing units. The sharing of the housing portfolios of the two present authorities could help deal with the special housing needs of some people in the County.

Also, the extension of the idea of cost-recovery housing for senior citizens (those units now operated by the Windsor Housing Company) into the County could add a valuable new facet to the available public housing.

The other major change involved in setting up housing in the way described here is the increased role which is provided for the municipality in the housing field and the decreased role of the provincial government through its agency the O.H.C. Presently the role of the municipality in rent-geared-to-income family and senior citizen housing is quite minor. The municipality is the

initiator of new housing projects. It is the municipality's request for a needs study and for additional units which sets the mechanism into action. But the municipality has virtually nothing to do with the design, construction and operation of the housing that it requests. It just pays annually the 7½% of the operating deficit for units within its boundaries. It is the O.H.C. and its agency, the housing authority, which constructs and operates the housing. One of the seven members on the board of the housing authority appointed by the provincial government is chosen from a list submitted by the Mayor of the City or the Warden of the County. The person appointed, however, is not supposed to be aware that he was chosen from the municipal list. He is not, in other words, supposed to see himself as or act as a representative of the municipality.

This very limited role of the municipality in public housing results in municipal politicians not feeling responsible for providing housing. The danger of this situation is that no new projects can be built without the initiation of the municipal politicians. It is true that the O.H.C. and the housing authority can give them advice, but it is essentially up to the municipality to start the operation moving. If the municipality had to deal with the placement of residents daily, it would be more aware of and concerned with reacting to the pressures placed upon it. The present situation of having an agency of the province responsible for daily operation of geared-to-income housing insulates both the municipal politicians and the provincial politicians from the difficulties of and pressures exerted by those people in geared-to-income housing and those on the waiting list.

It is frequently argued that this insulation of resident placement from politicians is necessary to prevent biases and favouritism from entering the situation. This, however, is not a real danger. A point system drawn up by the provincial government is now used by all housing authorities in determining ranking on the waiting lists. There is no reason why municipal operation of housing would change this situation. Difficulties of this sort are not created by the present municipal administration of the provincial Welfare Assistance Act. Therefore, transfer of all the functions of the housing authorities to the Social Services Department of the restructured County is recommended. Geared-to-income housing would then be dealt with in the following way. The County puts in a request to the O.H.C. for a certain number of housing units. If the O.H.C. agrees that there is a need and if the project fits in with the provincial priorities, the OHC then assumes responsibility for the design, financing and construction of the project. During this time, the OHC goes to the County at each step to show the County what it is doing and to receive the municipality's comments. When the project is completed, instead of signing the project over to the housing authority as it now does, OHC would sign the project over to the County. The County is then responsible for placing people in the project and for the operation and maintenance of the project. The recovery of the operating deficit could remain as it now is: 50% paid by CMHC (federal government), 42½% paid by OHC (provincial government) and the remaining 7½% by the restructured County Government. The detailed supervision which OHC now maintains over the housing authority could be lessened in the proposed system. The provincial interest

(justified by the fact that it pays such a large part of the operating deficit) could be covered by its control over the development of new projects and by its insistence that the municipality use the province's point system when placing residents. The municipality could make reports to OHC in the same way as the social services departments now do on welfare matters and as the homes for the aged do.

Five boards and committees now deal with public housing in Essex County. These contain a total of twenty-seven positions, ten of which must be filled by municipal council members.

	TOTAL	<u>Housing Advisory Board</u>		<u>Homes for Aged Committee</u>		<u>Windsor Housing Company Board</u>
		City	County	City	County	
Number	27	7	7	3	5	5
Councillors	10			3	5	2
Other	17	7	7			3
Municipal Appointees	13			3	5	5
Provincial Appointees	14	7	7			

The role of these boards and committees is to decide on those admittance cases which have unusual aspects to them, which fall outside of the normal guidelines, and to deal with certain internal operating policies in the housing units, for example, policies on pets and dealing with complaints on matters such as noise control. In other words, the members of these boards and committees are not

the people who plan housing or deal with major policy decisions. For the most part, they spend their time approving of and sanctioning the detailed decisions that have already been made by the administrators.

The functions of the five boards and committees that now deal with the various forms of housing should all be turned over to the Social and Cultural Policy Committee of Council of the restructured County Government. The council members of this committee should learn to leave the detailed supervision of housing to their staff. This committee which has within its sight all the types of public housing in Essex County could then focus its energies upon more major policies such as whether there is a need for more and/or different types of public housing. Placing housing under the Social and Cultural Policy Committee would help municipal politicians to become aware of the housing situation and, as a result, encourage them to take a more definite role in housing.

III - CHILDREN'S SERVICES SECTION:

The Children's Services Section of the Social Services Department will be responsible for operating the municipal day-care centre programmes and the programmes of the two Children's Aid Societies. Some of the present counselling functions of the Children's Aid Societies will be moved to the Information and Counselling Section.

The Children's Services Section of the Social Services Department should be responsible for operating the municipal day-care centre programmes. At present, the municipal day-care centre programmes operate within the Social Services Departments of the City of Windsor and the County of Essex. Therefore, the placing

of day-care as a section of the proposed combined Social Services Department does not involve major changes. Although the provision of day care facilities by municipalities is still a controversial programme in some areas, it is difficult to believe that it will not grow in importance in the future. Changes in the pattern of employment and the status of women seem likely to create a persistent demand for the development of public day care facilities. What is more, the municipal programmes in which trained staff provide a varied programme for children in public day care centres do reflect a wider public understanding of the importance of early childhood education and public dissatisfaction with day care which involves no more than custodial care.

The Children's Aid Society of the County of Essex and the Roman Catholic Children's Aid Society for the County of Essex are privately incorporated agencies. Their functions include the preventive protection of children in their homes, the care and custody of children removed from their homes, work with unmarried parents, adoption and foster care placement and family services in homes where help is needed but no evidence of neglect or abuse exists. In its "Report on Select Issues & Relationships" of January, 1974, the members of the Provincial Task Force on Community and Social Services said that the mandate of the children's aid societies should be expanded "to reflect a responsibility for services to families as distinct from the current child-oriented mandate. Unless this is done, the opportunities to do substantial amounts of preventive work will be lost." The validity of this comment cannot be questioned. The question is whether the role of the children's aid societies should be expanded into wider

fields - fields in which other agencies are already working - or integrated into a structure providing other aspects of social services. Our whole discussion of social services has been based upon the premise that the integration of different aspects of social services within an agency provides the potential for a more complete, coherent and thus satisfying service to the client and also allows a more efficient use of staff.

Though the Children's Aid Societies are privately incorporated organizations, they are virtually wholly funded by the provincial and municipal governments. The County of Essex Council and the City of Windsor Council are responsible for paying approximately 20% of the operating costs of the societies. The board of each society has 21 directors; three of these are from the City Council, one from the County Council. The societies are, as a result, in the anomalous position of being private organizations eighty per cent of whose board of directors are chosen from and by the members of the organization only but with the power to requisition funds from the municipal councils. In addition to being private organizations funded by public tax monies, they are non-elected bodies which have considerable statutory powers. Societies have the power to remove children from their parents. The local director and other staff designated by the board have the powers of a constable and a school attendance officer.

These factors point towards the desirability of placing the children's aid functions in the hands of a more directly accountable public body such as the municipal council. The Task Force on Community & Social Services was quite ambiguous as to its decision on the continuation of the children's aid societies

as separate bodies. Essentially what it seemed to be saying was that for the present the societies should be left as they are while admitting that in some municipalities - "those that have developed satisfactory policies and administrations for social service delivery" - it would seem desirable for them to be integrated with municipal social services departments.

The main reason given by the Task Force for maintaining the societies as separate institutions is that this results in organizations which see their whole purpose for existence as the taking care of children and are, therefore, likely to be a stronger lobby for the interests of children. "Merging child welfare with other services might result in the assessment of its priorities by people who are unfamiliar with child welfare or unaware of its importance." However, the strength of this argument is vitiated by the Task Force's call for the societies to expand their functions into family services rather than simply children's services. The integration of a range of social services provides the increased possibility of each of the existing systems better achieving their overall and individual objectives.

The aspect in which the operations of the Children's Aid Societies differ most from municipally-administered social services is in the use of volunteers. Each society has a highly developed volunteer programme. The Roman Catholic Society has around 60 volunteers; the Essex County Children's Aid Society has about 45 volunteers. These people generally spend three to four hours every week providing a wide range of special services including driving children and parents to appointments, babysitting, leading group discussions and teaching courses in nutrition, and homemaking

skills. These services have become an important part of the work of the Children's Aid Societies. The Essex County Children's Aid Society has estimated that the loss of the volunteer workers would necessitate its hiring five additional full time staff members or the dropping of these special programmes. While the Children's Aid Societies are justifiably proud of their success in attracting volunteer helpers and in using their talents to enrich the Society's programmes, it is necessary to keep the volunteer contribution in perspective. The two societies employ 145 full time staff compared with approximately 105 volunteers who work for a few hours each week.

In the debate on the future of Children's Aid Societies in the province, fear has been expressed that their incorporation into municipal social services departments would have a negative effect on volunteer programmes. It has been argued that an agency operated by a volunteer board is more apt to launch and maintain a successful volunteer programme than a municipal department. While there may be some force in this argument, it should be noted that large numbers of people do take part in the work of local government agencies and in schools programmes for little or no financial reward. The key determinant of operating a volunteer programme is not the form of the public agency but the attitude of those who direct it and of senior full time staff towards volunteers. If they adopt a positive attitude to the use of volunteers and provide meaningful work for them, I see no reason for believing that volunteer recruitment would decline. The Children's Aid Societies have already demonstrated that it is possible to attract volunteer workers to work with paid full time staff. My observation of

local politicians in Essex County is that they are very much concerned with encouraging volunteer participation in public programmes and would be very responsive to the argument that the use of volunteers would reduce the burden on taxpayers.

The integration of the volunteer programmes of the Children's Aid Societies with the municipality will involve some major readjustment on the part of the municipal social services department. However, if the County Council decides that it wants to continue the volunteer programme, it should be possible to work out the problems.

It is the conclusion of this discussion that there are definite advantages in the joining of children's aid with the County Social Services Department. The lines of accountability between funders - the municipal council - and policy creators and administrators would be opened up. Also, children's aid would be integrated with other family social services presenting the potential for a better preventive programme. In addition, it is possible that the Social Services Department as a whole will learn much from the different style developed by the Children's Aid Societies with their greater emphasis on public relations and volunteer programmes.

IV - INFORMATION AND COUNSELLING SECTION:

The purpose of this section of the Social Services Department is to assist clients of all types of municipal social services by providing them with information on services available and with counselling.

In the information aspects, the employees should be aware

not only of the details of all municipal social services programmes but also of the programmes of other social services agencies in the County. It is useful to have people whose specific role is to give out information; for their attitude usually differs from those who only are called on to give out information incidental to their other duties. The former tend to be much more thorough, patient and open in giving out information to the public since they see this as the whole reason for their being there.

The purpose in having a counselling section whose members are responsible for providing services to clients in each of the sections of municipal social services - social assistance, housing and children's services - are two: 1) to make counselling services available in all areas of municipal social services and 2) to integrate counselling in all aspects to provide a more complete service. The provincial Task Force on Community and Social Services stated that "the opportunities for more effective assaults on general social and individual problems provided by an integration of the spectrum of services could increase the possibility for each of the existing systems of achieving its goal." The counselling function is the primary mechanism through which this integration will be achieved in this department.

The specific makeup of this section and its relationship with the three other sections of the department will have to be worked out by the Social Services Commissioner. A beginning of the section, however, could be created by drawing together certain positions in the two existing social services departments: the two rehabilitation officers, the four social workers and the three homemaker instructors. In addition, it seems likely that some of the seventy social workers in the two Children's Aid Societies could

be transferred to this section.

FINANCIAL IMPLICATIONS

The discussion of financial implications here is based upon the 1974 social services expenditures of all municipalities in Essex County. It is not unrealistic to use these figures in this discussion since additional expenditures are not inherent in the new department. Administration costs should not need to increase. There would be some shuffling of personnel, but an increase in numbers would not inevitably follow. The major effect of the restructuring in social services would be a redistribution of the tax burden within Essex County.

The following Table shows social services expenditures in 1974:

TABLE 50: SOCIAL SERVICES EXPENDITURES IN ESSEX COUNTY, 1974

	Expenditures Less grants \$'000's	Equalized Taxable Assessment \$'000's	Expenditures less Grants divided by Equal. Tax Assessment (Mill Rate)
City of Windsor	2,860	1,882,617	1.519
County of Essex	948	1,016,699	.932
Total	3,808	2,899,316	1.313

In a restructured social services system, there would be a common mill rate for social services across the County (1.313 mills). This means that the rate would decrease in the City of Windsor and rise in the rest of the County.

TABLE 51: MILL RATE CHANGES FOR SOCIAL SERVICES PURPOSES

	Pre Restruc- turing	After Restruc- turing	Pre Restruct. \$'000's	After Restruct. \$'000's	Change \$'000's	%
City of Windsor	1.519	1.313	2,860	2,471	-389	-13.6
Rest of County	.932	1.313	948	1,336	+388	+40.9
Total	1.313	1.313	3,808	3,808		

We have estimated tax incidence by household. The following table shows the changes in per household taxes:

TABLE 52: HOUSEHOLD TAX INCIDENCE FOR SOCIAL SERVICES PURPOSES

	Pre-Restructuring \$	After Restructuring \$	Change \$	%
City Household	24.71	21.35	-3.36	-13.6
Rest of County:				
Non-farm House- hold	16.72	23.57	+6.85	+40.9
Farm household (after provincial farm tax rebate)	18.98	26.76	+7.78	+40.9

PUBLIC HEALTH

The Metro Windsor-Essex County Health Unit's area of jurisdiction already covers both City and County and in addition the Township of Pelee. In consequence, the Board of Health has both City and County Council members on it plus two provincial representatives. I recommend the extension of the Unit's jurisdiction to include the Village of Wheatley.

I can see little advantage in having a separate Board of Health in the restructured County. The direction of the Health Unit's work should form part of the responsibilities of the County Council's Social and Cultural Policy Committee; the Health Unit would then become a separate department of the County Administration. Should the province insist on retaining a separate Board of Health with provincial representatives, I recommend that the members of the Social and Cultural Policy Committee be appointed to the Board of Health and that its meetings be held immediately following those of the County Council Committee. This procedure would facilitate the coordination of policies concerning public health with those being followed by County Council in related fields.

EDUCATION

As a result of the major reorganization of school boards in 1969, only four local school boards remain in existence. The City boards were not significantly affected by the 1969 reorganization although the area of jurisdiction had been enlarged by the 1966 annexation. There were very substantial changes in the County with the creation of the Essex County Board of Education and the Essex County Roman Catholic Separate School Board. The boundary

proposals made in this report involve the addition of the Village of Wheatley to the County of Essex; the area of jurisdiction of the two County boards should be extended to include Wheatley. Apart from this change, I believe that further alterations in the areas of jurisdiction of the existing school boards are unnecessary. I recommend that the Windsor Board of Education, the Windsor Roman Catholic Separate School Board, the Essex County Board of Education and the Essex County Roman Catholic Separate School Board continue to operate.

The present boards are already large scale organizations providing services to a substantial number of people. I am not convinced that the amalgamation of City and County school boards would result in any significant savings, any improvement in the quality of services provided or in the responsiveness to the public. The City and County boards face a somewhat different set of problems at present and there seems little likelihood that any of the boards will be faced in the foreseeable future by the need to manage any large scale expansion of their operations. Indeed the major problems facing the City boards are related to a considerable fall in enrolments. I did not receive any submissions from the public calling for amalgamation of the existing boards and whenever I raised this question found no support for such a change.

The existing arrangements for the election of representatives to the Essex County Board of Education and the Essex County Roman Catholic Separate School Board, which are dictated by the existing provincial legislation, constitute a barrier to the provision of the best possible public representation. Many of the districts used for the election of school board members bear little relationship to the pattern of local community life in the County.

For example, District 2 for the election of public school supporters to the Essex County Board is made up of Tecumseh, St. Clair Beach, Maidstone, Colchester North and Essex, and District 6 includes Amherstburg, Malden, Colchester South and Harrow. In consequence they often impede the development of close contact between board members and residents of the areas which they represent. The inappropriateness of the present electoral districts may also be a contributing factor to lack of public involvement in school board elections noted in chapter 3.

School board electoral districts should be redrawn so as to allow for the election of members from readily identifiable areas. The use of a common set of boundaries for the purpose of electing municipal councils and school board members is highly desirable since it helps the ordinary citizen to identify his or her representatives and facilitates contact between the two sets of elected local officials.

The existing County school boards are of a size which is not unwieldy for deliberative purposes and permits adequate representation for the various parts of the County. I have made the following recommendations with the intent of keeping the boards as close as possible to their existing size.

I recommend:

1. That each of the seven proposed municipalities within the area of jurisdiction of the Essex County Board of Education and the Essex County Roman Catholic Separate School Board should constitute a distinct and separate electoral district for the purpose of school board elections.
2. The Essex County Board of Education should have 14 members

elected by public school supporters and 7 members elected by separate school supporters. One member should be elected to represent public school supporters in each of the seven proposed municipalities plus such additional members (to a total of 7) as are appropriate taking into account the distribution of assessment for public school purposes. One member from each of the seven proposed municipalities elected to represent separate school supporters.

3. The Essex County Roman Catholic Separate School Board should continue to have 14 members. One member should be elected to represent separate school supporters in each of the seven proposed municipalities plus such additional members (to a total of 7) as are appropriate taking into account the distribution of assessment for separate school purposes.

At present the City's eight wards are used as electoral districts for the election of public school supporters to the Windsor Board of Education and for the election of separate school supporters to the Windsor Roman Catholic Separate School Board. Separate school supporters on the Windsor Board of Education are elected at large. Elsewhere in this report I have recommended the revision of the City's ward boundaries to equalize their population and to increase their number to nine. I recommend that these revised wards be used for the election of public school supporters to the Windsor Board of Education and the election of separate school supporters to the Windsor Roman Catholic Separate School Board.

Earlier in this Report I commented on the lack of mutual understanding which exists between school board members and municipal councillors. It also became clear during the course of

the Study that large numbers of ordinary citizens had only a very limited grasp of the issues facing local school boards, the limitations imposed on their decision-making authority and the actual policies they were following. I am not so naive as to believe that relations between different groups of elected representatives, who are to some extent placed in a competitive situation, and the general public's grasp of the issues facing local school boards can be transformed by simply improving the means of communication between them. However, I believe that some progress towards these aims can be achieved in Essex County by such means. A more active programme by each board aimed at explaining the position of the local board in relation to the overall government of the school system, the general policies being followed by the board and a comprehensive and detailed explanation of financial matters is desirable. From my observation of the present situation, it appears that the boards devote an inadequate amount of their time and funds to this function. As I have argued elsewhere in this Report in relation to municipal councils, it is not enough for school boards to argue that information is available to anyone who requests it or bothers to attend board meetings. School boards are public bodies spending public funds and they should regard it as one of their major functions to undertake an aggressive campaign to improve public understanding of their work. There is at present a contrast between the very extensive efforts made to explain highly localized changes in the school system and the energies devoted to explaining general policy objectives and the overall financial operations of the boards. As far as relationships between school boards and municipal councils are concerned, I believe that both sets of

bodies could gain by more regular and extensive discussions between them. This would require the councils and boards to adopt a more positive attitude towards joint meetings than they have shown in the past.

As I wrote earlier, I do not believe such measures would completely transform the relationship between the school boards and other local elected bodies and all elements in the population. However, they would, at least, make the debate on school board policies and actions somewhat better informed and perhaps more fruitful as a source of policy alternatives.

At present there appear to be few problems of communication among the school boards in the area. Particularly in the County, there are numerous instances of cooperation between the boards to ensure the economical use of facilities and personnel. At one of the Study hearings in the City of Windsor, the then Chairman of the Windsor Board of Education suggested that it would be useful to establish a formal channel for the exchange of information and the arrangement of cooperation between boards of education and the major post secondary institutions in the area - the University of Windsor and St. Clair College. He proposed the creation of a joint consultative board including representation from the boards, the University and the College. It appears to me that this suggestion is worthy of serious consideration by the bodies involved.

A substantial part of almost every meeting and hearing open to the general public which I attended in the County in the past two years was taken up with discussion of the reorganization of school boards, their policies and operations. These discussions have naturally influenced the recommendations made above but in

view of the public interest in this field I feel bound to make some further comments on matters which were raised by members of the general public.

The 1969 reorganization, which had such a substantial impact in the County, is still a subject of contention in the County. The overwhelming majority of those who made representations to me on this subject were critical of the way in which the changes were accomplished. The passage of seven years does not seem to have altered the view of many people that school board reorganization was imposed by the provincial government without adequate consultation or explanation. Many of the specific comments made to me about the current operation of the school system were prefaced with comments along these lines.

Often people discussed changes in the school system as if the reorganization of school boards and the way it was accomplished were the only factor affecting change. In fact, school consolidation, the increased use of specialist staff, the development of new services, basic reform of the curriculum, the reform of school financing, the increase in the proportion of students completing a full course of secondary school studies, and the development of teachers and other employee organizations determined to use collective bargaining to improve their salaries and working conditions are some of the major changes which have had an impact on the Ontario school system. They were all underway before the 1969 reorganization of the local government of schools and would have undoubtedly had a substantial impact on the school system even if it had not taken place. The 1969 reorganization was carried out in part as a response to such interrelated changes. The 1969

reorganization was not the cause of them. It has, of course, facilitated some of these policy changes as it was intended to do but it is extremely unlikely that it had much effect on their formulation. Structural changes in governments can make it possible to implement certain policies more effectively and to consider new policy initiatives, but in themselves they bring about no policy changes. The school system in Essex County has changed because society has changed and because new views of the means and aims of education have transformed educational policies, not because local government structures have been reorganized.

The reorganization of school boards was undertaken in isolation from the rest of the local government system. In my view many of the special difficulties the school boards have encountered in the County arise from the Province's decision to proceed with local government reorganization in this way. On the one hand, the the majority of local government functions have continued to be fulfilled in the traditional way within municipalities whose boundaries have not been substantially changed for a long period of time. At the same time, school boards have had to provide an extended range of services with little regard for local municipal boundaries. The scale of their operations was changed dramatically by the 1969 reorganization and as a result the role of the elected representative changed also. One school board member in his submission to the Study expressed the opinion that many people viewed the County school boards as 'alien' bodies. In one sense this seemed to me an appropriate expression. The County school boards are 'alien' in the sense that their creation involved the detachment of one fragment of the local government structure - the most important one in financial terms - and its reorganization on wholly

different lines from that of the local municipality, the most visible and active local government organization. This type of piecemeal approach to reform undermines the capacity of local government institutions to secure the continuous involvement of the public in their activities. Two specific criticisms of the current operations of the two Essex County school boards were repeated regularly and it was asserted that they would inevitably be relevant if local government restructuring proceeded in Essex County. The first of these was that school board members were largely unknown to the public and even when contacted were reluctant to deal personally with minor administrative matters. These criticisms were summed up as a decline in the quality of representation and responsiveness. The recommendations made above for changing the electoral system are directed to improving the situation with respect to the identification of citizens with their representatives on school boards. Inherent in the second part of this criticism is the view that a primary responsibility of school board members is to be involved in the very minor matters of the implementation of school board policies, and that school board members make the best use of the limited time they have at their disposal by dealing with minor administrative details rather than the substantive policy issues facing the board. Unlike small municipalities, school boards on the scale of those in Essex County have specialist administrative staff whose function is to deal with administrative detail and to respond to individual requests for individual assistance. The practice of some board members of advising citizens how to use the "regular channels" to deal with minor administrative matters rather than themselves becoming

directly involved seems to me to be an extremely sensible one. It was interesting that the stress placed by those who made this criticism was on the process of dealing with requests, rather than on the only sensible measure of the responsiveness of an organization - the effectiveness and expedition with which individual problems are actually dealt.

The second major criticism of the County school boards I wish to comment on is that their formation had led to the creation of large, expensive and unnecessary central bureaucracies. Constant references were made to the large size of the headquarters staff of the County boards and unfavourable comparisons were made with pre-reorganization boards and with the local municipalities. It is impossible to make a reasonable comparison with administrative costs of prereorganization boards for three main reasons. First the County boards now have a greater range of responsibilities than the old local boards did following the transfer of certain provincial inspection functions to the local level. Secondly there have been substantial changes in the school system since 1968; changes in curriculum, record keeping and relationships with staff have all increased the burden on the central administration of the boards of education. Thirdly, the range of services and quality of services now available in the school system and the proportion of the population they reach has changed dramatically in recent years. It is, however, possible to compare the cost of central administration in municipalities and for school boards. Obviously to do this by reference to the number of personnel employed or the number of offices is ridiculous. The County school boards operate on a scale which is substantially larger than that of a local municipality

in Essex County. It is possible, however, to compare the proportion of total expenditures spent on central administrative services in school boards and municipalities. In 1974, the County Board of Education spent 4.6% of its current expenditures on this function; the comparative figure for the smaller Essex County Roman Catholic School Board was 7.8%. The County municipalities in Essex County spent on average over 17% of their current expenditures on general government. In the City of Windsor where the scale of the City government is of the same order as that of the two City school boards, the proportion of total expenditures spent on central administrative functions was 8.4% for the City in 1974, and 8.2% for the Windsor Board of Education and 5.9% for the Windsor Roman Catholic Separate School Board in 1975. It would be incorrect to assert that an exact comparison is possible, but these comparisons do give a general idea of the performance of two types of local government organizations with respect to the amount spent on central administrative functions.

FINANCE

Both the upper and lower tier governments should continue to have responsibility for financial planning and budgeting. The actual extent of financial planning for the future which is possible for municipalities and school boards is severely limited by their dependence on provincial grants as a source of revenue and their heavy dependence on one tax source - the property tax. While it is common practice for provincial authorities to lay great stress on the importance of forward financial planning, the instability and complexity of provincial assistance programs and

the degree of control exercised by provincial agencies of the various elements of local budgets makes it extremely difficult for municipalities to formulate long term plans.

Property Taxation and Collection

The property taxation and collection function should continue to be the responsibility of the local municipality. It would be a costly and unnecessary duplication to operate more than one system for the levying and collection of local property taxes. Tax bills should be drawn up to show as clearly as possible the local levies collected for municipal, County and school purposes.

Capital Borrowing

I recommend that all debenture borrowing on a long term basis be the responsibility of the restructured County government. Both the County and local municipal councils will be involved in developing capital programs. Any proposal for long-term borrowing based on these will inevitably affect the overall financial standing of local governments in the area and the capacity to undertake future capital projects. In consequence, there must be an agency responsible for the review of proposals for long term borrowing. This review involves two kinds of questions. First what priority should be assigned to each proposal involving long term borrowing and secondly, what overall level of borrowing is appropriate in the light of the financial standing of local governments in the area and the general provincial policies concerning public borrowing based on its assessment of the general economic situation.

At present the Ontario Municipal Board examines all proposals for long-term municipal borrowing; it comes to a decision on the basis of both of these questions. In my view the question of the priority to be accorded to each item in the capital programmes of the County and local municipalities should be a matter for determination by local elected representatives rather than an appointed provincial body. Therefore, I recommend that the County government should conduct an annual review of its own proposals for long-term borrowing and municipal proposals. It should then develop an integrated annual capital budget for the whole area and a long-term capital budget on similar lines. The Ontario Municipal Board should be limited to determining the overall amount of long-term borrowing to be undertaken by the County in the light of its financial standing and of provincial policies in effect at the time.

The County government would thus be more than a clearing house for municipal debenturing proposals; it would be responsible for negotiating with municipalities to arrive at an overall capital budget for local governments in the area.

Assets and Liabilities

There is a well established procedure for the reallocation of the assets and liabilities of the existing municipalities to the proposed units. I recommend that this procedure be used in Essex County. It involves the appointment, by the Treasurer of Ontario, of committees of arbitrators composed of provincial and local members to distribute assets and liabilities in accordance with the allocation of responsibilities. The decisions of such

committees are subject to appeal to the Ontario Municipal Board.

TABLE 53: SUMMARY OF ALLOCATION OF FUNCTIONS

COUNTY OF ESSEX

- Arterial Roads
- Capital Borrowing
- Conservation
- Planning & Urban Renewal
- Promotion of Industry and Tourism
- Water Supply
- Waste Disposal
- Libraries
- Social Services - Welfare, Children's Services, Day Nurseries, Homes for Aged.
- Public Health
- Public Housing
- Approval of local plans for water distribution, land drainage, sanitary sewage lines.

LOCAL MUNICIPALITIES

- Tax Collection
- Elections
- Fire
- Police
- Building Inspection
- Licencing
- Animal Control
- Garbage Collection
- Water Distribution
- Sewage Collection & Treatment
- Land and Tile Drainage
- Local Roads & Sidewalks
- Public Transportation
- Supply of Electricity
- Parks
- Recreation & Community Centres
- Museums
- Cemeteries
- Advisory Planning Responsibility

CHAPTER 8

POLITICAL AND ADMINISTRATIVE STRUCTURE OF THE RESTRUCTURED COUNTY

In the following pages, I have made a series of recommendations concerning the structure of government in the restructured County and local municipalities. These include recommendations regarding representation on the County and local councils, the appropriate committee structures and the organization of the administration. However, in each case the discussion of these recommendations is prefaced by an attempt to define the role of the municipality in the overall local government of the area.

Before one considers particular proposals for these changes, it is necessary to understand that the role of the County and local municipal governments would be changed if the scheme for the allocation of functions set out in the previous chapter is adopted. The County Council is to be responsible for planning and the implementation of its planning policies through control of the major elements of physical services. It is also to be responsible for social planning and the management of those health and social services in which local governments have been assigned a role by the senior levels of government. The local municipalities are primarily concerned with the delivery of local services and the development of community facilities. These tasks involve the closest degree of contact between ordinary citizens and the local public administration. The roles of the County and local councils must be complementary, not competitive, if local governments are to be

effective and responsive in the planning and provision of local services.

Throughout this Report, I have drawn attention to the urgent need to promote a greater degree of public interest and involvement in the work of local government organizations. The recommendations on the conduct of business are designed to facilitate the fulfilment of this objective.

In the latter sections of this chapter, I have made recommendations for the staffing of the restructured County and local municipalities. The reallocation of staff during the transition from the present to the proposed local government system is of central importance. It must be achieved successfully if control is to be maintained over public expenditures during the period of restructuring.

In the final section of this chapter, I have recommended the abolition of Public Utilities and Hydro Commissions and the transfer of their responsibilities to local municipal councils. The case for this change has been made over and over again in the past twenty years. However, the political forces aligned against change have been considerable and, despite the overwhelming case for it, very little progress has been made to date. I have made this case again in terms of the local situation in Essex County in the hope that eventually it will be possible to implement this obviously desirable reform.

THE RESTRUCTURED COUNTY

The County Council of the restructured County of Essex, as proposed in this report, has a central role in the planning of the

County, the provision of certain services and the coordination of local government activities. The tasks facing the Council can be summarised under four headings. It is a policy making body in the fields of responsibility assigned to it. As such, it has the responsibility for obtaining advice and assistance from its staff, from individuals, organizations and groups within the County on which to base policy decisions. It is responsible for overseeing the operations of its administrative staff to ensure the efficient implementation of its policy decisions. This is an important and difficult task since it involves ensuring that its own policy directives are carried out and that administrative personnel are responsive to local concerns without the Council itself being bogged down in the details of routine administration. The County Council also must have prime responsibility for liaison with area councils and other local agencies to ensure the maximum degree of coordination of local government activities in the County. Finally, the County Council has the major responsibility for representing the interests of the local community in dealing with the provincial authorities. This involves not merely dealing with provincial agencies in respect to particular services but also representing the overall interests of the area and making representations to the provincial government on provincial policies having an impact on the Essex County community.

REPRESENTATION

The County Council must be representative of all parts of the County. However, one must also recognise that the local councils exist to deal with local community affairs and the concern

of the County Councillor is with matters of County-wide interest. The County Council must be of sufficient size to allow representation of the various parts of the County and yet small enough to allow each Councillor to participate fully in its deliberations. A substantial majority of the population of the proposed County resides in the City of Windsor; this fact must be reflected in the make up of the County Council. On the other hand, the various local communities within the County must feel that their particular interests will not be overlooked by a Council completely dominated by Windsor members.

I recommend that representation on County Council be based on the allocation of one member per 20,000 of assessed population or part thereof in each local municipality. This would result in the following pattern of representation:

<u>Restructured Local Municipality</u>	<u>Representation on County Council</u>
1. Windsor	10
2. Sandwich West	1
3. Amherstburg, Anderdon, Malden, Part of Colchester North	1
4. Harrow, Kingsville, Colchester South, Gosfield South	1
5. Leamington, Wheatley, Mersea	2
6. Belle River, Rochester, Tilbury North, Tilbury West, part of Maidstone	1
7. Tecumseh, St. Clair Beach, Parts of Maidstone and Sandwich South	1
8. Essex, Gosfield North, Parts of Colchester North, Maidstone and Sandwich South	1
Total	<u>18</u>

Representation on County Council should be reviewed every six years to ensure that it adequately reflects changes in the distribution of population.

In my view, it is essential that County Councillors be in close touch with local municipal councils and be in a position to act as a liaison between them and the County. It is my observation that, despite the lack of formal powers associated with the office, the Mayor or Reeve of a municipality is regarded by residents as having a special status as a representative of the community. Indeed, one of the weaknesses of the existing County structure is the absence of the Town Mayors from the County Council. I propose that the Mayors of the municipalities also serve as County Councillors. In the City of Windsor, the County Councillors would consist of the Mayor plus nine people elected one from each of 9 wards of approximately equal size. In the Leamington-Mersea-Wheatley municipality, the second representative should be elected at-large to serve on both the local and County councils.

In the past, there has been some concern that the Mayor of a Town Council lacks adequate time to serve on County Council in addition to his other duties. At present, the Mayor is an ex officio member of a variety of local government bodies and in consequence is faced with a seemingly endless round of meetings. In the course of this report, I have proposed the abolition of a number of such semi-independent agencies; even where I propose the continuance of such an agency, for example the Police Committee, I see no objection to the Council being represented by a person other than the Mayor.

The effect of these changes would be to lighten the load of

responsibilities borne by the Mayor and give him or her adequate time to serve on the restructured County Council. In future an effort must be made to avoid burdening the Mayor with appointments to a wide range of bodies of limited importance. His or her time should be devoted to the work of the most important local government bodies.

In the regional governments created to date, the first Chairman of the Regional Council has been appointed by the Provincial government for an extended term. The legislation calls for the election of the Regional Council Chairman by the Council following the end of that term. In the restructured County of Oxford, provision was made for the election of a chairman - the Warden - by the County Council for a two year term.

I recommend that the Oxford model be adopted in Essex County and that County Council elect a Warden at each inaugural meeting of the Council to serve for its full term (at present the Municipal Elections Act sets this at 2 years). In my view it is essential that the Warden be a person who has the confidence of Council members. The role of the Warden should be to be the Chairman and Spokesman of the County Council. He can best fill this role if he is selected locally by those with whom he has to work. The County Council may find it convenient to elect a Deputy Warden to assist the Warden in his duties, particularly in the social field and in chairing the meetings of Council. I believe it is important not to burden the Warden with routine duties or to create an office which allows a single individual to dominate the Council.

COMMITTEE STRUCTURE

Given the extensive range of duties involving policy considerations I propose for County Council, I believe that it would be necessary for Council to use a committee structure. I propose the creation of three standing committees: the Social and Cultural Policy Committee, the Planning and Environment Policy Committee and the Finance Policy Committee. The Warden should be an ex officio member of each; each County Councillor should have one Committee assignment.

The Committees would have general responsibility for developing and investigating policy alternatives over a relatively wide area of responsibility. The structure is deliberately established to discourage them from devoting their time and energy to minor administrative matters and prevent them from becoming merely spokesmen for particular departments. A major responsibility of the County Council is to set priorities and assess the relative merits of expenditures and policy initiatives in the various fields of responsibility. The Committees, in carrying out their mandate of reviewing programmes in a variety of fields, would make an important contribution to this. It is vitally necessary to break down the habit of looking at one service in isolation from those related to it. Problems and issues must be examined in the context of their total impact on the local community rather than in terms of the activities of one department of government. For example, the body with primary responsibility for land use planning must also be responsible for direction of public works programmes in the roads, water and sewage fields so that these programmes can be used as tools to implement land use plans.

The Finance Policy Committee is an important one and will be required to hold sessions throughout the year. Its task should be not the routine approval of expenditure by the County but regular review of the overall financial performance of the departments and financial planning for the future. It would be the Finance Policy Committee's responsibility to prepare long range forecasts of the current and capital expenditures and to review municipal plans for long-term borrowing. At present municipalities are too much tied to concern only with the current year's budget; effort must be made to plan financially for several years ahead. Obviously they can only meet this objective if the Province itself takes a far longer range view of policy on grants and assistance to municipalities than it has done in recent years. As with land use planning, this requires regular review and adjustment of plans. Periodic assessment of established programmes to ensure that the maximum benefits accrue from current expenditures is also a major job of this Committee.

THE COUNTY ADMINISTRATION

The case for the appointment of a Central Administrative Officer (C.A.O.) is related to that for policy committees. The job of the C.A.O. is to make recommendations to Committees and the Council based on an overall appreciation of impact of particular programmes and the work of specific departments. Able and vigorous department heads are bound to regard the programmes under their control as of prime importance and to set great store by new proposals emanating from their departments. Naturally specialist administrators will view government activities from their

particular perspective. The C.A.O. must have more detachment and be able to view the effect of the parts on the whole. His prime task is to advise Council on the overall picture and assist it in assessing the relative priorities of particular programmes. He must be the chief budgetary officer of the Council since the major tools for establishing and implementing priorities will be the current and capital budgets. At the same time, he must be in a position to review the performance of the senior officials of the County and to make recommendations on personnel matters to Council. In this sense he is also chief establishments officer of the County.

The C.A.O. should be seen as the head of the County Administration. He will need to work closely with the Clerk, Treasurer, Solicitor and Personnel Officer; each of these offices should be headed by a separate individual. The enlarged size of the County administration will make it necessary to appoint a full time solicitor and personnel officer. These individuals should provide services for all County departments.

The County should also consider establishing a central purchasing office. It appears likely that such a development would lead to sufficient economies to justify the additional staff expense. The County should also investigate the possibility of bulk purchasing in cooperation with some or all local municipalities.

One of the greatest weaknesses of the existing municipal administrations is the absence of anyone responsible for regular review of the constantly changing provincial legislation and regulations affecting municipalities and the study of the innovations

made by other municipalities within the province. The main task of the Intelligence and Information Officer would be to study such matters and make a regular flow of such information available to the C.A.O. and Council in a form which would allow them to relate such information to Essex County concerns. Local government and the relationships of local governments to the province are now so complex that there is the need for an independent research and informational capacity at the local level. Since there is a natural tendency for senior administrators and councillors to become bound up in day-to-day concerns and planning for future programmes, there is a need for a specific person whose task it is to keep informed on these matters. Such an official should also be able to assist the C.A.O. and Council in explaining the relationship of local programmes to provincial ones to the general public as a whole. All too often the general public does not understand the extent to which local programmes are related to those of senior levels of government. The position of Intelligence and Information Officer is a purely staff position; its holder should not have operational responsibilities.

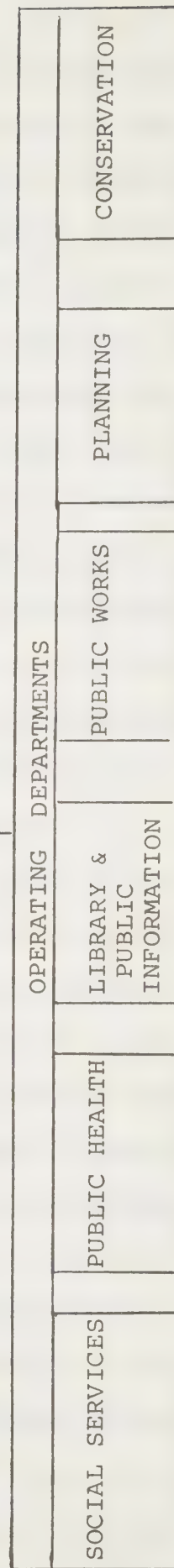
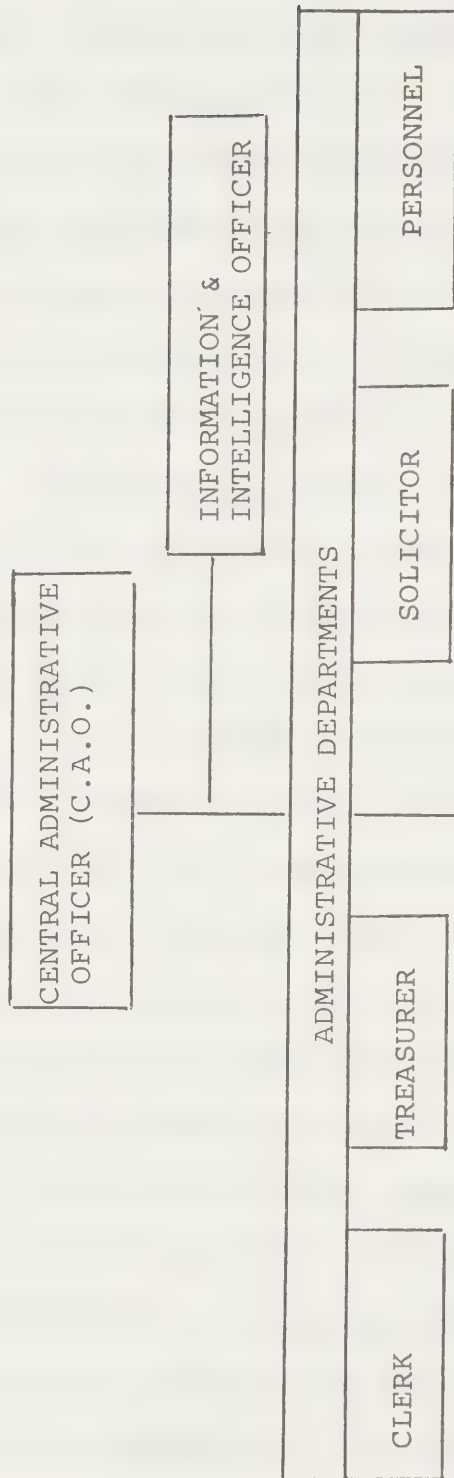
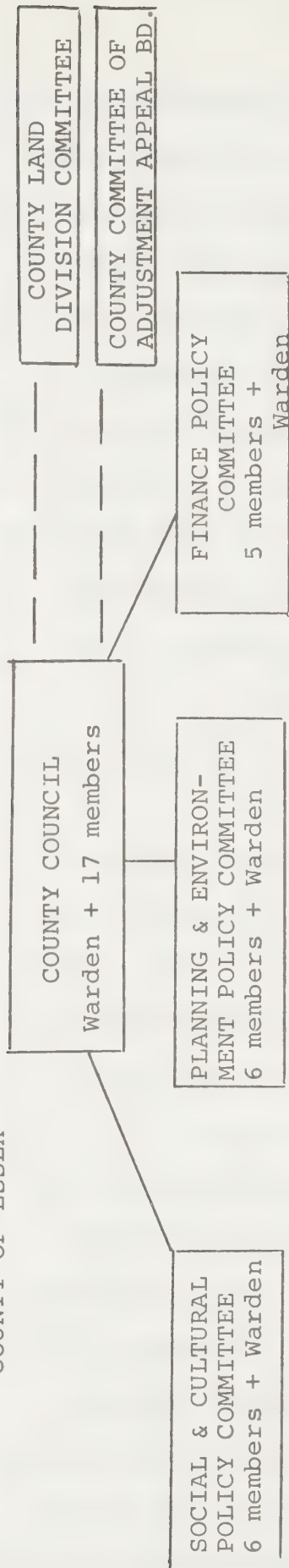
I have made no recommendation for an executive or administrative assistant to the C.A.O. In my view no such office or offices are necessary if the C.A.O. establishes the correct relationship to the senior officials of the County administration and the Commissioners. One important task of the C.A.O. is that of co-ordinator; he should be in continuous contact with these senior officials and must not assume operational responsibility for matters which should come under their supervision.

It is important to distinguish the position of Warden from

that of C.A.O. The Warden is a political decision maker and his task as chairman of the Council and a member of all Council Committees is to assist and guide his political colleagues in making policy decisions. The Warden should not be the Chief Executive Officer of the County; through regular contact with the C.A.O., he must be aware of the work undertaken by the departments and any problems which arise but he must not see his position as that of an operational head. To use an analogy from the business world, he is Chairman of the Board of Directors not the President of the Company. For that reason, he should not have an administrative staff attached to his office. He may, however, require some clerical assistance to help him with correspondence and the ceremonial and formal aspects of his role. Such assistance should be given by the Clerk's office.

The number of operating heads of departments, who would bear the title Commissioner, is limited to six. It is extremely important to limit the number of departments and to avoid their proliferation in the future. Administrative fragmentation undermines the capacity of a Council to co-ordinate the full range of its activities and leads to interdepartmental competition and wasteful duplication. There is a need for co-ordination and the assessment of the relative benefits of programmes throughout the administration. It is a mistake to believe that successful co-ordination or the ordering of priorities can be achieved at the level of the C.A.O. and the policy making Council if adequate preparation is not undertaken at lower levels of the administration. In a relatively small administration of the size needed in the County government, a relatively small number of people in executive positions is required and if they perform adequately they should

CHART 1: PROPOSED POLITICAL AND ADMINISTRATIVE STRUCTURE OF THE RESTRICTED COUNTY OF ESSEX



be able to exercise control over departments with responsibility for more than one programme. I have made certain recommendations concerning the organization of particular departments in the discussion of functions.

ADVISORY COMMITTEES

Elsewhere in this Report I have proposed that the Board of Health, the Library Boards and the Conservation Authority all cease to exist as separate agencies and that responsibility for the functions they fulfil be assumed by County Council and its committees. Council may find it useful to appoint advisory committees in one or more of these areas to provide regular citizen input into the decision-making process. While a strong expert administration is very necessary, it is also essential that County Council create some clearly defined channels for the participation of ordinary citizens in offering advice on policy matters and to draw Council's attention to inadequacies in the provision of services. Conservation is one area where there is considerable citizen concern and interest and an advisory committee in this area could strengthen Council's capacity to make decisions. All political decision-making bodies require alternative sources for policy advice and bodies with whom they can test proposals. Such alternative sources are unlikely to be highly developed at the local level unless County Council offers them some encouragement. For those who fear that a Council with a sizable administrative staff is in danger of being dominated by expert advisers, the development of institutional channels for alternative policy advice should be regarded as a high priority matter.

LOCAL MUNICIPAL COUNCILS

The changes proposed in this Report will have a substantial impact on the functions and political role of municipal councils. One of the problems which has arisen where local governments have been restructured has been the failure of lower tier municipalities to accept and adjust to their new role within the local government system. Such an adjustment is rendered more difficult by the election to the new municipal councils of men and women with experience on local municipal councils prior to restructuring. While it is highly desirable to utilize the experience of such people, there is a danger that they will fail to recognize and accept the changes involved in the new position they occupy. The relationship between the local councils and the County Council should be complementary rather than competitive. If local councils adopt a competitive attitude towards the County Council and attempt to recreate the old distribution of powers within the new structure, they can partially frustrate the efforts of the County Council to develop and implement policies for the whole community while neglecting their own proper role within the system. Jurisdictional disputes between the two levels of local government can lead to the waste of public resources and eliminate the possibility of savings made possible by cooperation between local administrators. Such disputes may be of concern to local politicians concerned about a loss of status and power but they are rarely of interest to the general public or conducted with the objective of serving the larger public interest in mind.

The local municipal councils have two major roles to fill within the restructured County. They have to direct the provision

of a range of local services. Various proposals are made in this report aimed at reducing the fragmentation of authority at the local level. In consequence, although local municipal councils have lost some powers to the County Council, they have also been allocated a larger and more clearly defined role as a local community government through the consolidation of power at the local level. The second major role of the local council is to observe the local impact of policies adopted by County-wide agencies on the local community and to transport local opinion concerning these to the County Council and County Boards of Education. Local citizens should view the local municipal councils as one important channel for the transmission of their views on County-wide concerns to the County policy makers. The local councillor will be in close touch with the Mayor and other local representatives on the County Council and should also establish contact with local school board representatives. The decision-making process at the County level should include the local municipal councils which can be an important source of information and policy advice concerning County-wide matters. They can fulfil such a role successfully only if individual councillors make an effort to understand the policies being followed by such County-wide agencies and to interpret them to local residents. Their capacity to influence County-wide agencies largely depends on whether they adopt a cooperative or competitive stance in relation to upper tier agencies.

REPRESENTATION

The functions assigned to local municipal councils are those which require close contact between the individual resident and the

public administrator if they are to be carried out effectively. The role of the local municipal council in the larger local government system also requires local municipal councillors to be in close touch with residents. For these reasons, I propose that each member of a local municipal council represent a geographically compact area with a population small enough to allow personal contact between the representative and the electorate. Obviously the appropriate ratio of representatives to population will vary with respect to the density of population and the extent to which citizens of an area share common interests and concerns. In my view the City representatives should be elected on the basis of approximately one to 10,000 residents and local municipal councillors in the other proposed municipalities on the basis of approximately one representative to 2,000 residents. The use of such ratios would create councils which would not be too large to operate effectively without recourse to a complex committee structure.

It is essential that local municipal councillors be elected by wards since their identification with and responsibility to a clearly defined group of residents is crucial to their role as responsive policy makers and monitors of the provision of local services. In the drawing of ward boundaries, the main criteria should be to create wards which are geographically compact and as far as possible reflect neighbourhood boundaries. While the boundaries of existing municipalities might be taken into account in drawing ward boundaries where a new municipality has been created by amalgamation, it would be unwise to simply adopt these boundary lines as ward boundaries of the new municipality. Such a practice

would tend to encourage friction on the basis of the old municipal divisions within the new municipality and in any case would not lead to the creation of geographically compact wards. It is the practice in the United Kingdom to identify wards by local place names rather than by numbers. This practice is worthy of emulation since it tends to encourage the creation of wards on a locality basis and to increase the identification of a representative with the area he or she represents.

I have proposed that the City of Windsor elect the Mayor and 9 additional representatives to the County Council. In my view, the Windsor City Council should have additional members so that the variety of interests in the City can be adequately represented in the political decision-making process. It would be unwise to have the entire City Council seated as a bloc on the County Council since this might serve to encourage group action on that body. In consequence, I recommend that Windsor City Council consist of a Mayor, nine aldermen elected from nine wards to serve on both the City and County Councils and nine councillors elected from the same nine wards to serve on City Council alone. In my view, it is important to separate the election of those City representatives who will serve on both councils from those who will serve only on City Council. The separate election of the joint office holders will encourage the electorate to understand the nature of the two systems and assess candidates' potential and performance in terms of both levels of local government.

The existing system of wards within the City is a legacy of the 1966 annexation. The wards are presently grossly unequal in size. They need to be redrawn to equalize their populations

and to reflect, as far as possible, neighbourhood boundaries within the City. I propose that ward boundaries in the new area municipalities be fixed by ministerial order following consultation with the existing municipal councils.

I recommend that the area municipal councils be composed as follows:

LOCAL MUNICIPAL COUNCIL

<u>Municipality</u>	<u>Council Membership</u>	<u>Total</u>
1. Windsor	Mayor, 9 Aldermen (City & County Council Members), 9 Councillors	19
2. Sandwich West	Mayor, 6 Councillors	7
3. Amherstburg, Anderdon, Malden, Part of Colchester North	Mayor, 8 Councillors	9
4. Harrow, Kingsville, Colchester South, Gosfield South	Mayor, 8 Councillors	9
5. Leamington, Wheatley, Mersea	Mayor, 1 Councillor (elected at-large to sit on Town & County Councils), 7 Councillors	9
6. Belle River, Rochester, Tilbury North, Tilbury W., Part of Maidstone	Mayor, 8 Councillors	9
7. Tecumseh, St. Clair Beach, Parts of Maidstone and Sandwich South	Mayor, 6 Councillors	7
8. Essex, Gosfield North, Parts of Colchester N., Maidstone and Sandwich S.	Mayor, 8 Councillors	9

At present there are a total of 126 members on the municipal councils within the City of Windsor and County of Essex. This recommendation would reduce that number to 78 members.

COMMITTEE STRUCTURE

There are some differences in the range of services which would be under the control of local municipalities, particularly in the case of Windsor, and also in the character and traditions of local government in the various communities. I see no reason why there should be complete uniformity in the way in which local municipalities carry on their affairs. There are currently differences in the use of the committee system among municipalities; each local municipality should determine for itself what approach to this question it regards most appropriate in the future.

In considering the most appropriate form of committee system to adopt, if any, local councils should avoid creating committees parallel to the departmental structure and the delegation of authority. The role of council and its committees is to make policy and to oversee and correct deficiencies in the provision of local services, not to directly administer services. Committees formed on a parallel basis with departments rarely avoid the temptation to become immersed in administrative detail with the effect of disrupting the efficient delivery of services. If the Council appoints competent administrative staff, it should give them some responsibility for the operation of their departments and only concern itself with general review of their performance. While local councils may find it useful to create advisory bodies with mixed council and citizen membership, they should not delegate executive authority to such bodies. To do this would undermine the capacity of the local councils to operate as community governments making and accepting responsibility for decisions on the priorities assigned to local programmes under their control.

ADMINISTRATION

I recommend that each local municipality appoint a Central Administrative Officer. (Town Manager, City Manager, Administrator - there are many alternative titles for what is basically the same position and it is purely a matter of local taste which title is chosen.) The C.A.O. should be head of the municipal administration and be the chief budgetary officer and chief establishments officer of the municipality. The Council should hold this individual responsible for the coordination of the work of operating departments and for the most efficient use of municipal personnel and facilities. Without a clear line of responsibility for the implementation of Council policy decisions and for the administrative performance of the civic administration, it is impossible for a municipality to operate efficiently.

The C.A.O. should also be the senior policy adviser to the municipal council. To describe the C.A.O. as senior policy adviser is not to suggest that he should be the only adviser to Council on policy matters. While his or her involvement with all aspects of the operations of the municipality gives great weight to the C.A.O.'s advice, the council should seek advice and opinions on policy matters not only from the senior administrative staff but also from other individuals and groups. Most of the problems which have arisen in municipalities with respect to the role of the Central Administrative Officer (or his equivalent) have originated in the council's failure to seek and develop alternative sources of policy input. These problems are often related to the failure of council members to accept their full responsibility in the making of policy. They have found it convenient to shift the

responsibility for policy making to members of the administration and avoid the additional work and effort required to make their own assessment of policy proposals originating from a number of sources. I use the word seek here advisedly. It is not enough for councils to sit back and wait for individuals and groups to approach them on community affairs. Councils must assume a positive role in encouraging the participation of people within the community in the policy making process.

One of the most wasteful features of local government in Ontario is the proliferation of local agencies and of departments within municipal administrations. The creation of a multiplicity of small agencies and departments makes the coordination of policy difficult. It is also extremely wasteful of resources. The creation of a fragmented structure impedes the development of flexibility in the use of both executive or managerial personnel and clerical staffs. I understand the pressures that Councils face from administrative staff to create a multiplicity of departments and agencies and, as a result, the creation of an expanded range of executive or managerial positions which carry with them prestige and relatively higher salaries. However, such fragmentation is not conducive to improved administration or the economical use of public resources and should be resisted.

The clearest impression I have of local government operations in Essex County is that there are far too many small organizations in which executive or managerial personnel (paid executive level salaries) spend much of their time doing routine clerical work. The size of many local government agencies precludes the full utilization of the talents of executive and managerial

employees, limits their effectiveness by making it impossible for them to develop expertise in particular areas and provides few opportunities for genuine career advancement. Such fragmentation and underemployment is a prime example of the contribution of structural arrangements to wasteful public expenditure.

It is instructive to compare the costs of maintaining a central administration between municipalities and school boards of varying sizes. The proportion of expenditures on general government in smaller municipalities is extraordinarily high. In 1974 the percentage of municipal revenue fund expenditures on general government in County municipalities averaged 17.7%. In the County of Essex the proportion of revenue fund expenditures on general government was 5.0% and in the City of Windsor the proportion was 8.4%. In the case of the school boards in the area, central administrative costs (including school office expenditures) as a proportion of total revenue fund expenditures in 1974 were: Windsor Board of Education 8.2%, Windsor Separate School Board 5.9%, Essex County Board of Education 4.6%, Essex County Separate School Board 7.8%. While precise comparisons between municipalities and school boards are not possible, it is clear from these figures that there is no relationship between increasing size in administrative organizations and increasing central administration costs. In fact this evidence suggests the opposite is true. Because smaller organizations lack the capacity to make the fullest use of their employees, a greater proportion of their expenditures must be devoted to general government. In the past two years I have listened to a great deal of talk about bureaucratic "top heaviness" in the larger organizations in the County. The evidence I have

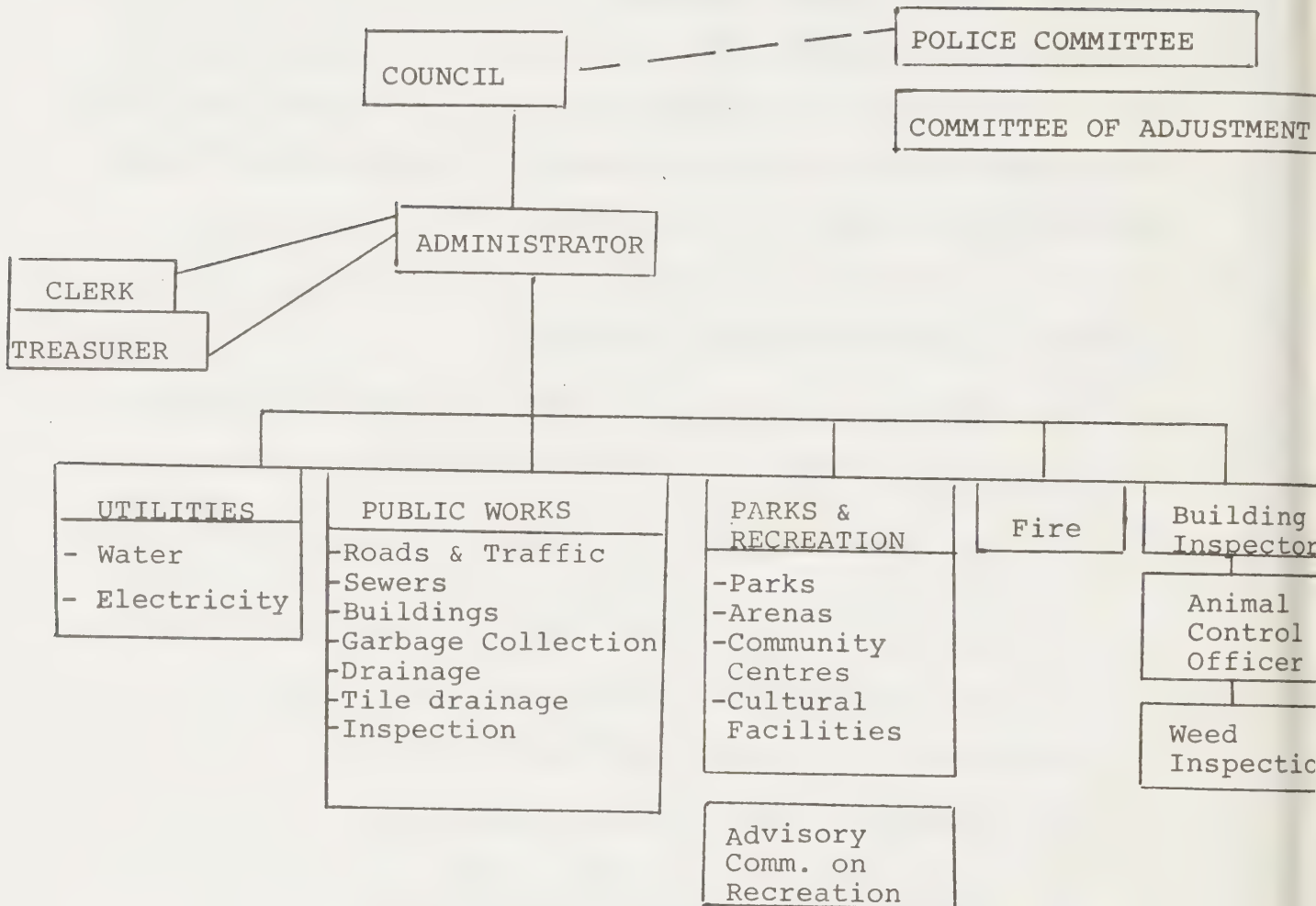
examined suggests that the opposite of this argument is true and that wasteful expenditures attributable to bureaucratic "top heaviness" most often occur in small organizations where the services of very small numbers of executive or managerial employees are underutilized.

On the following page I have set out a model organization chart showing the basic elements which I believe should exist in each municipal administration.

ESSENTIAL ELEMENTS OF MODEL STRUCTURE

1. Central Administrative Officer without departmental responsibilities.
2. Separation of offices of Clerk and Treasurer.
3. Strict limit on the number of separate departments.
4. Parks and Recreation Staff should be clearly designated as municipal employees.
5. Fire Chief should be full time.
6. The clerk or a member of his staff should be secretary to and responsible for maintaining the records of all Committees of Council, other municipal committees and advisory committees established by Council.

CHART 2: LOCAL MUNICIPAL STRUCTURE:
BASIC ELEMENTS



Clerk or his Deputy also acts as:

- Secretary to Police Committee
- Secretary to Committee of Adjustment
- Secretary to Advisory Committee on Recreation

THE CONDUCT OF COUNCIL BUSINESS

Earlier in this Report I have made reference to what I regard as unsatisfactory aspects of the manner in which public business is conducted by local government bodies. If citizen involvement in local government affairs is to be facilitated, I believe that each Council should adopt procedures meeting the following minimum conditions.

1. All Council and Council Committee meetings should be advertised and open to the public. This should preclude the calling of special meetings at short notice.
2. Councils or Council Committees should hold in camera sessions in the course of a meeting only in specially defined circumstances. This would include such matters as reports on the negotiations to purchase specific properties and the consideration of reports on individual staff members. In each case where Council or one of its Committees goes into an in camera session, the motion to take such action should indicate the purpose for which this special procedure is to be used.

It is virtually impossible to prevent Council from holding informal caucus meetings for the discussion of public business. However, it must be recognized that the use of this device to avoid public discussion of public business is clearly not in the public interest.

3. Councils and Committees should be provided with a clear agenda for each meeting and written reports relating to agenda items. These should be available to members and to the general public prior to the meeting. They should be available along with the file of Council and Committee minutes for inspection by members

of the general public at the municipal offices. In order to facilitate public inspection of such papers and to do away with the presumption which presently often exists that a person has to declare some specific interest before examining these papers, they should be required to be available at the branch of the public library system nearest to the municipal offices.

4. The fullest possible financial records of the municipality's activities should be on file and available for public inspection in the same manner as the records of the Council and Council Committee meetings.

5. The Council and Committees should provide appropriate facilities for the press at all meetings. It would be desirable for the Council to contact representatives of the media to make such arrangements and to ascertain which media organizations would wish to receive prior notice of all Council and Committee meetings.

STAFFING

Where local government has been restructured elsewhere in the Province, there has been concern with protecting the interests of existing personnel by guaranteeing employment at present salary levels for a period of time. Such a practice seems to me to be a highly desirable and necessary procedure. Staff members who have been conscientious and faithful public employees are entitled to be treated with courtesy and consideration during the period of reorganization. Such guarantees are also essential if high staff morale is to be maintained during a period when some degree of dislocation is inevitable and extra demands will be made on staff members.

A key element in the successful and economical deployment of staff during a period of reorganization is the time period allowed for the planning of the change over from the old structures to the new ones. It is my strong impression that an inadequate period of time was allowed in a number of instances where restructuring has occurred and that in consequence there was inadequate planning in the staffing field. In considering the best allocation of existing staff, it is necessary to consider the situation in terms of the entire area. In particular, it is necessary for local municipalities to make a realistic appraisal of their staff requirements in terms of their new functions within the total system. They must recognize the changes in the distribution of powers and be prepared to release staff for employment at the upper tier level where such a transfer has occurred. Unless the area municipalities are prepared to assist in the transfer of personnel surplus to their actual requirements, the total administrative costs of the local government system will inevitably rise.

The guarantee of security of employment to individual employees with the local government system should not be viewed as involving simply an obligation of municipalities to staff members. The guarantee of security also imposes obligations on the employees who benefit from it. The employment of a public official by a public agency does not confer on that individual a right to be employed on precisely the same type of work in the same location indefinitely. Individual staff members must show a willingness to accept new responsibilities and in some instances to learn new techniques and procedures without fear for the continuity of their employment while they are accomplishing this.

The attitude of staff members to changes resulting from restructuring is crucial in creating the necessary flexibility to allow for the most economical deployment of existing staff. Restructuring along the lines I have proposed will substantially improve the opportunities for existing staff members to develop specialist knowledge and expertise in their employment and allow the development of career structures with a resulting increase in the opportunity for career advancement, particularly for the employees of small municipalities and agencies. At present the fragmentation of administrative organizations in the County prevents persons in executive or managerial positions, and those who aspire to them, from developing expertise in any given area. Since the range of opportunities offered in such small organizations is so very limited, it makes career advancement almost entirely dependent on a willingness on the part of an individual to change his or her employer. While it is natural for public employees to be concerned about their personal future during a period of governmental reorganization, it is important that they recognize that the changes recommended here, while in some instances requiring changes of employer and to some extent duties, also substantially improve the prospects for improving qualifications and for expanding career advancement opportunities.

The changes proposed involving the amalgamation of local municipalities will, in a number of cases, facilitate the replacement of a number of part time employees by a full time employee. Councils will want to consider whether this is appropriate in each particular case. The advantages of employing full time rather than part time staff, particularly in the inspection field, are

largely dependent on the possibilities of improving the regularity of service and the development of technical expertise.

In my view, if considerable care is taken in the deployment of staff and if area municipalities refrain from retaining staff surplus to their real needs where functions are transferred, it will be unnecessary to increase the expenditures on staff salaries of local governments in the area to any marked degree. In fact by encouraging a greater degree of specialisation and reducing the degree of overlap in the provision of services, the changes proposed here will improve the productivity of existing employees. There are two areas where additional full time staff will clearly be needed - in planning and in policing. In the planning field inadequate resources are presently being devoted to staff expenditures. However, the employment of more permanent planning officers will permit considerable savings to be made by sharply reducing expenditures for planning consultants. In the provision of police services a completely new and more equitable system is proposed in order to improve the existing level of service and to improve the degree of local control over policing within the County.

The whole manner in which the redeployment of staff resources is accomplished is crucial to the control over local government expenditures in the transition period. If the County Council in particular does not obtain the cooperation of area municipalities in the transfer of employees previously employed by local municipalities, it will be forced to recruit additional staff. On a number of occasions, it has been represented to me that a reorganization of the nature I have proposed will automatically increase the number of personnel required to provide the same levels of service.

This statement, as far as it is ever supported by argument, usually rests on the case that such changes inevitably increase the complexity of government operations. This is quite simply nonsense. The simplification in administrative structures and the reduction in the degree of fragmentation of local institutions should have precisely the opposite effect allowing the more productive and effective use of staff. The achievement of this result is in the hands of local representatives and is dependent on the degree to which they plan the transition to the new structure.

The majority of local government employees in the area are members of trade unions. The implementation of the changes proposed here would have considerable effect on the pattern of bargaining units. A considerable amount of detailed work and negotiation will be required to accommodate these changes. If staff morale is to be maintained, if justice is to be done to existing employees and their rights protected and if the transition is to be managed smoothly, the unions involved must be a party to all discussions concerning staff questions. It is essential to involve union representatives in the earliest stages of such discussions and to negotiate arrangements before the new structure comes into existence. A number of representations were made to me on this subject and the concern of union spokesmen seem to me to be well founded. They stressed the difficulties which would inevitably arise if the questions of concern to them were treated as residual matters to be dealt with after a new set of structures were in place. In my view such matters must not be postponed in this manner; every effort should be made to ensure that planning for the transition period includes the settlement

of those issues of concern to the unionized personnel involved.

It must be recognized that changes of the nature I have proposed will inevitably affect the level of union organization of local government employees in the area. I have no doubt that these changes will have the effect of making it easier for local public employees to enjoy the benefits of being able to join together in the promotion and protection of their common interests and concerns.

PUBLIC UTILITIES COMMISSIONS AND HYDRO COMMISSIONS

A minority of the municipalities in Essex County have hydro and water supply systems managed by elected commissions. A number of elected representatives who have served or are serving on Commissions did not support the continued existence of Utilities Commissions. They regarded them as redundant organizations and expressed the view that the small amount of their business which required the making of policy decisions could be handled with ease by municipal councils as could complaints and suggestions concerning services. They also saw potential savings and improved coordination of the activities of local public works if the activities of such commissions were consolidated with those of municipal councils.

The existence of a P.U.C. separate from the municipal council and the municipal administration involves the maintenance of a separate commission, a distinct administrative and operational staff and separate offices, works yards and supplies of equipment. It means that two local governments are involved in public works and maintenance in the municipality and that coordination has to

be negotiated between two political bodies and two groups of public employees. While it may be that there is some cooperation in certain municipalities, there is no assurance that this will always be the case. At the very least, even routine operations require intramunicipal negotiation and agreement. It must also be borne in mind that here in Essex County we are talking about extremely small scale administrative units and operations.

A consolidation of the work given to utilities commissions in some other municipalities with that of the municipal council presently exists in the most populous County municipality - Sandwich West. A committee of the whole council directs the work of both the hydro and water departments both of which are municipal departments which operate out of common municipal facilities. This arrangement operates to the satisfaction of Sandwich West Council and officials; I heard no complaints concerning it from residents.

Some Commissioners and Commission Staff did make a case for the continued existence of Public Utilities Commissions elected by the public to provide hydro or water services or both. Their case rests largely on the assertion that the provision of water and hydro services is a business operation, or at least an operation aimed at providing services at cost, and that such activities are different in motivation from the activities directed by local councils. (It should be noted that the business analogy in fact makes little sense. The purpose of private business operations is not to provide services or goods at cost but at considerably more than cost in order to maximize profits.) A number of Commissioners felt that Councils could not be relied upon to support the decision that water and hydro services would be provided at cost. Concern

was also expressed that the burden of decision-making presently borne by Commissioners was too great to be assumed by municipal councils and that the latter would become overburdened if this was added to their responsibilities. Essentially the same argument is used in defending the existence of a separate elected commission, that members of the public who have complaints to make or suggestions to offer can presently deal with Commissioners who are able to concentrate on hydro and water matters rather than to municipal councillors who can't and who in any case are likely to be too overburdened with other business to respond effectively. On occasion other arguments were used such as that the existence of a Commission removes these services from politics and that hydro accounts are maintained according to special forms unlike those of other municipal accounts.

I find the case for independent Public Utilities and Hydro Commissions totally unconvincing. I believe that considerable savings can be made from their abolition and the consolidation of all of their activities with those of the municipal councils. The maintenance of separate offices, workyards and administrative structures is ridiculous in local government units of this size. Not only is such duplication wasteful, but also it creates problems in coordination where no such problems need exist.

Let us analyse the case for elected independent local commissions.

The decision to supply water and hydro at rates which allow full recovery of local costs (although not full costs in many cases since provincial grants have been made to partially finance some local water undertakings) is one which we are assured

has very wide public support. It is not the only decision which could have been taken and whether it is in fact the most appropriate one depends on the particular circumstances. However, if it is the policy favoured by the overwhelming majority, why would it be undermined by locally elected councils?

The argument that the existence of elected commissions removes the supply of water and hydro from politics is obviously nonsense. In fact, commissioners are elected in precisely the same manner as municipal councillors to fulfil a far more limited range of functions.

As for the need for a separate commission because of the need to maintain a separate set of special accounts for hydro functions, why couldn't any municipal treasurer achieve this? Municipal treasurers have lots of experience in maintaining separate sets of accounts for different classes of municipal business.

The burden of decision-making presently borne by Commissioners is in my view greatly exaggerated. The Windsor Utilities Commission is the largest utilities commission in the area. In order to familiarize myself with its operations, I conducted a detailed review of the Commission's minutes for a period of six months from mid May to mid November in 1975. Between May 22nd and November 13th, the Commission held ten regular meetings and four special meetings. It was in session for fifteen hours and thirty-one minutes plus the time spent in one special meeting for which the time is not specified. The longest meeting was one hour and thirty-seven minutes. The Commission also conducts its business through four committees. Each committee is made up of all members

of the Commission and each of the Commission members other than the Chairman of the Commission chairs one committee. During the period studied, the Hydro, Water and Finance Committees each held ten meetings; the Street Names and House Numbering Committee held four meetings. All of these Committee meetings took place on the same day as the Commission's ten regular meetings. There is not a single instance of a Committee meeting on a separate day in this six month period.

The majority of items before the Commission's Committees involved formal approvals of accounts and tenders and of administrative decisions. From time to time the Committees dealt with reports from administrative officials on minor matters. The Commission's work also involved such routine matters but also included some discussion (although as can be seen from the length of meetings rarely extended discussion) of policy matters. The main policy matters the Commission dealt with in this period were the possible expansion of the Water Treatment Plant, the organization of opposition to proposed rate increases by Ontario Hydro and preliminary estimates of the effect of these on local rates, and contract negotiations. It should be clear that the Commission itself did not conduct negotiations. It discussed policy on these and approved the negotiated settlement. Two other matters of continuing concern to the Commission during this period were the failure of union members to respond to 'call in' for emergency services while contract negotiations were in progress and the appropriate scale of pay for Commission members. This latter matter involved the Commission in dealings with City Council which held the power to decide the question.

As has been shown by this examination of the Windsor Utilities

Commission, the number of policy decisions facing hydro and water commissions who supply services after planning decisions have already been made by municipal councils is in reality very small. Much of the time of commissioners is taken up with routine approval of decisions, involving little discretion, taken by administrators. Often Commissioners concern themselves with trifling details where any competent administrator is perfectly capable of making the decision in accord with policies already established. Choosing and overseeing the work of competent administrators is an important function of any elected local body but too often, in absence of any genuine policy-making functions, the work of these bodies degenerates into mere duplication of the routine administrative work of people who are being paid reasonable salaries to do this work. The volume of genuine work in administrative supervision coming before Public Utility and Hydro Commissions is very limited in practice.

In terms of public responsiveness, the volume of complaints which require handling by an elected representative because they have some policy connotation or involve failings by the administrative or operational staff are extremely small if the Commission has not failed in its job of selecting and overseeing staff work. The elected representatives of the municipalities we have proposed would be able to handle these without difficulty. The amount of genuine involvement on the part of the public with such commissions suggests the absence of any large volume of public contacts. Very few members of the general public seem to have any interest in the form of these bodies or in their activities. We are struck by the lack of electoral competition for the office of commissioner.

It is clearly not the case that many people seeking to become involved in local politics look to gain a foothold in them by contesting Commission office.

I am well aware that Utilities Commissioners must spend time in preparing for meetings, in contact with the public and in participation in provincial affairs. However, even taking all these matters into account the volume of business with which they deal scarcely justifies the existence of a separate structure and a separate electoral process for Commissions. The proposals contained in this report involve a transfer of a significant number of powers to the County Council and the attempt to develop an integrated community government at the local level in the area municipal council. It is quite clear in my view that the government of public utilities and the task of insuring that utility services are provided in a way which is responsive to public demand can be adequately handled by the local municipal council. This is the structure which now works well in Sandwich West.

I recommend the abolition of all Public Utility, Public Utilities and Hydro Commissions in the area and the assumption of their responsibilities by the local municipal councils.

I am aware that this recommendation is in conflict with recommendations made by the Committee on Restructuring of Public Utilities (Hogg Committee) and the Guidelines for Restructuring of Public Utilities released by the Ministry of Energy on February 11th, 1975. The extent of my disagreement with those guidelines is limited to the question of the form of the local government body which should be responsible for the provision of hydro services. In my view the local municipal council should become the governing

body of local hydro systems when local government structure is restructured and retain this authority during the period in which the necessary studies are being undertaken to restructure local utilities and while the issue of whether to restructure them on an upper or lower tier basis is being discussed. In the unlikely event that it is decided to create a regional hydro system, then the County Council should assume the responsibility for governing the system from local municipal councils.

In my view the Hogg Committee did not make any case for the desirability of maintaining a separate local government body for the management of the distribution of electric power. Those who make such proposals appear to have little concept of or concern for the development of effective local community governments responsive to local opinion and working to integrate the provision of local services. The kind of duplication of institutions they propose undermines the political bases of local government and leads to wasteful duplication in the use of personnel and facilities at the local level. In effect it is yet another instance where a single provincial agency, Ontario Hydro, seeks to bypass local government institutions and maintain its own single functional agencies at the local level.

FINANCIAL IMPLICATIONS OF RESTRUCTURING

A restructuring of local government on the scale proposed here will lead to changes in municipal finance. It is important to distinguish between the types of changes which will occur and which may occur. One can discuss some of these in terms of past financial performance and in terms of estimates based on this. However, any such discussion is bound to be a static one, that is to say it can indicate some of the changes which would have occurred if the proposed structure had been in operation in the last year for which one has complete financial records, in this case 1974. Unfortunately the actual situation is not static; changes in the assessment base, the level of expenditures and taxation and the level of grants and subsidies do not stop just because one is discussing structural changes. No one is in a position to predict what policies the municipal councils will follow when they have been established although this will be a key determinant of the overall financial picture in the first year following restructuring. In consequence, it is impossible to make statements along the lines that "Local taxes will fall or rise by X amount of dollars in Y municipality in the first year of restructuring". Anyone who makes this kind of statement would simply be misleading his or her readers or listeners. What is possible by an examination of past performance is to indicate the direction of changes and give some estimate of the level and magnitude of such changes resulting from the institutional reform. It is also

possible to indicate the level of provincial grants and subsidies which would have been available in 1974 had the proposed structure been in operation and to indicate the types of additional financial assistance which would be available from the Province at the time of restructuring.

Let us begin by looking at the types of changes which would occur if the proposals for restructuring made above were implemented.

First, as a result of the changes in the distribution of powers between the City and County municipalities and the restructured upper tier, there would be shifts in the incidence of the local tax burden borne by taxpayers in different municipalities. The most important shifts would be between City taxpayers and taxpayers in the existing County.

Secondly, as a result of amalgamating lower tier municipalities with different levels of taxable assessment per capita with different mixes in assessment (ie. different ratios of farm and residential to industrial, commercial and business assessment) and with different levels of expenditure on local services, there would be shifts in the incidence of the local tax burden within municipalities.

When discussing shifts in the burden of taxation, what is involved is an increase in the level of the local taxes for some taxpayers and a decrease in the level of local taxes for others and not an increase in the overall level of local taxes. This, of course, is under the assumption of no increase in the overall level of expenditures.

The Province of Ontario has recognized that changes in the incidence of the tax burden are inevitable as a result of

restructuring. Indeed one of the purposes of restructuring is to induce such changes to bring the distribution of tax burdens and the benefits derived from public expenditures within the area restructured into a closer relationship. The Province provides transitional grants to local municipalities to cushion the impact of such changes by phasing them in over an extended period. Two types of transitional grants are provided: one to cushion the impact of "external" shifts in the tax burden between municipalities and one to cushion the impact of "internal" shifts in the tax burden between taxpayers in different parts of the new lower tier municipalities created by amalgamation.

The proposals made above go beyond recommending simply the reorganization of existing structures and propose an increase in the level of local service in two important areas: planning and policing. Thus in the planning field I have not merely recommended a new structure for local planning but also recommended that additional funds should be spent to improve the level of local service. In the police field, the City of Windsor and the Township of Sandwich West already provide local policing throughout the municipality. I have recommended an extension of this level of service to the other proposed lower tier municipalities. This would require an overall increase in the local expenditures for this service in those municipalities. The effect of the recommendations regarding planning and policing would thus be not primarily to shift the present burden of local taxation between municipalities or between taxpayers within a municipality but to increase the overall level of the tax burden in certain municipalities.

One other possible type of change which may occur following

restructuring is that restructured local governments which have a greater capacity to assess the needs of local communities for services and to implement changes effectively may decide to extend the range and improve the quality of services. Such changes are not an inevitable consequence of changes in the structure of government. They are a matter for local decision by municipal councillors and taxpayers. In my view, the wisest course for municipal governments is to move very cautiously in the area of service extensions in the period immediately following restructuring until the impact of the inevitable changes in the pattern of municipal finance can be assessed. But this is a matter which is wholly in the hands of local policy makers and the local electorate.

I have heard it asserted on many occasions that restructuring in itself automatically leads to increased costs particularly in the hiring of new staff to provide services at the existing level. In my view, no such increase in costs is inevitable if adequate planning is undertaken before the new government comes into operation and in particular if local municipalities make a realistic appraisal of their staff requirements when the new local administration is created. Having observed municipal administrations in operation in Essex County over the past two years, I am convinced that a redeployment of existing staff resources and a greater encouragement of specialisation among executive personnel can result in an improvement in the level of service at the same level of personnel costs.

The Province of Ontario has recognized that restructuring may result in the need for certain extraordinary expenditures

during the period when restructuring is being implemented and when the inevitable redistribution of facilities and personnel occurs. Two kinds of grants may be made, at the Minister's discretion, to finance such changes. "Start Up" grants are designed to assist in meeting the costs of such items as detailed studies of particular problems and of establishing the restructured county government. "Special assistance" is provided to aid municipalities in meeting some of the costs directly attributable to the implementation of the new structures and to promote the development of services on a regional basis.

Restructuring would also have the effect of changing the level of other provincial grants and of allowing municipalities to qualify for additional grant programmes.

In the following pages, I have tried to give some indication of the major financial changes which would result from restructuring. Where I have quantified these changes, the estimates are based on what would have occurred if restructuring had been in force in 1974, the last year for which full financial data is available. All the estimates are based on the level of services and costs in existence in 1974. It must, therefore, be repeated that the estimates are not precise predictions of what would happen in 1977 or 1978 in a restructured government but merely give some indication of the trends and the magnitude of the changes which would occur under restructuring in the future.

SHIFTS IN THE BURDEN OF LOCAL LEVIES BETWEEN CITY AND COUNTY

In the restructured County proposed above, the County would be responsible for providing a range of services to residents of both the existing County and the City of Windsor. This would have caused a redistribution of the local tax burden for the support of these services had the restructured County been in operation in 1974. In Chapter Seven, estimates were made of the shifts which would have occurred for each of the major services in the event of my recommendations being in force. Below I have set out a summary of these estimated changes.

1. Social Services

A Shift of the local tax burden of \$389,000 from City tax payers to County tax payers.

2. Libraries

A shift of the local tax burden of \$253,000 from City tax payers to County tax payers.

3. County Roads System

No shift in the local tax burden. This is based on a shift of 20% of the roads, but because arterial rather than local roads are involved a shift of 30% of City costs to the restructured County.

4. Garbage Disposal

A shift in the local tax burden of \$49,000 to City tax payers from County tax payers.

SHIFTS IN THE BURDEN OF LOCAL LEVIES WITHIN MUNICIPALITIES

Within the six proposed municipalities created by amalgamations, one can identify two kinds of local services: those services which are provided for the general benefit, such as roads and parks and recreation, and which are paid for from funds raised through a general levy, and those services which are provided for the benefit of individual tax payers and groups of tax payers and which are paid for from funds raised through special local levies such as area rates and special charges. The mix of different types of financing varies between municipalities in Essex County and, following the decision to restructure, a review of area rates and special charges would be required to bring the system within each municipality into order. However, the practice of using special charges and area rates to finance services enjoyed by only certain tax payers is well established in the County municipalities. It is a reasonable and equitable policy and should be maintained following a restructuring.

The complexity of the present area rate and special charges system makes it impossible to quantify the shifts in the burden of local taxation without a detailed and extensive financial analysis. A preliminary analysis of the shifts in the burden of local taxes which would have occurred in 1974 was undertaken for the Study using a computer programme prepared by the Municipal Finance Branch of the Ministry of Treasury, Economics and Intergovernmental Affairs. While some of the results proved useful in indicating trends, the degree of complexity in the use of special charges and area rates in Essex County made it impossible to obtain an accurate simulation of what the shifts in local

burden would have been in 1974 had the restructuring proposals been in force. Technically it is probably possible to produce a reasonably accurate forecast but this would be a time consuming and difficult task and is limited to showing what changes would have occurred in the past. Should specific decisions be taken to implement a set of restructuring proposals, then further analysis of this type should be attempted with the assistance of the Municipal Finance Branch.

The amalgamations proposed would have resulted in shifts in the tax burdens within municipalities had the proposed structure been in operation in 1974. The direction of the shifts depends on the level of expenditures in 1974 and the distribution of assessment between municipalities. For example, if two municipalities with the same level of expenditures per unit of assessment on a particular service are amalgamated but one municipality has a significantly higher level of assessment per capita than the other, the effect of amalgamation would be to shift the tax burden to increase it in the municipality with a higher per capita assessment and reduce it in the municipality with a lower assessment per capita. Alternatively if two municipalities with different levels of expenditure per unit of assessment on a particular service but with approximately equal assessment per capita are amalgamated, the shift would increase the tax burden in the municipality with the lower level of expenditure and reduce it in the municipality with the higher level of expenditures. Unfortunately no such simple pattern exists in real life and in consequence no such simple prediction of the shifts is possible. The transitional grants paid by the province to cushion the effect of such shifts and phase

them in over a five year period can only be calculated in the first year of operation of a newly restructured municipality following detailed calculation of the changes which have occurred. It should be clear that transitional grants are designed simply to assist with changes in the distribution of tax burdens at the existing level of expenditures and levies and not to subsidize new programmes which a restructured municipality may decide to undertake following restructuring.

WATER

Under the recommendations made above, the County would become the sole wholesaler of water to local municipal delivery systems. A major purpose of placing the production and treatment of water under the control of the County Council is to promote the further integration of the water supply systems into a single County-wide system. The promotion of this development would be furthered by the implementation of a uniform wholesale rate for water. This is, of course, not the only option available to the County Council. It could establish wholesale rates which reflect the actual cost of producing water for each area serviced by a particular plant or it could partially equalize rates. The effect of adopting a uniform rate would be to bring about a substantial shift in the burden of wholesale costs. In 1974, under a uniform wholesale rate, City users would have paid an additional \$498,000 and County users an identical amount less.

Whereas the effect of the shift in the burden of local levies for County services would have been shared by all local taxpayers through the County rate, shifts in the burden of wholesale water

charges would affect only those purchasing water from municipal systems (virtually everyone in the City and an overwhelming majority of people in the County). The benefits of reduced rates in the County would not have been spread uniformly since there was considerable variety in the wholesale costs of water between plants in the County.

PLANNING

Earlier in this report I proposed the creation of a single County Planning Department to serve the restructured County. What is more, I suggested that greater resources would have to be devoted to planning if an adequate level of service was to be provided across the County.

In 1974, the City of Windsor supported a full scale planning department at a cost for planning and zoning services of approximately \$398,000. The County and County municipalities provided a more limited range of service at a cost of approximately \$115,000. Had the County financed planning and zoning services at the same level as the City in 1974, the total cost would have been approximately \$215,000. Assuming that the additional service called for in this report had been provided in 1974, County taxpayers would have had to provide an additional sum of \$100,000 in order to match the City's level of expenditures.

The City also made grants for the promotion of industrial and commercial development and tourism totalling \$144,400. The County made grants for the same purposes totalling \$15,000. I have recommended that the County Planning Department should be responsible for these services. If they had been provided by the

County in 1974 and financed through a uniform levy in City and County, there would have been a shift in the burden of local levies of approximately \$40,000 from City taxpayers to County taxpayers.

POLICE

The recommendation for the provision of local policing by local forces in each municipality would have a substantial effect on the level of local taxation in certain of the proposed municipalities. The City of Windsor and the Township of Sandwich West now provide full local policing and receive the full amount of the provincial police grant to local municipalities and, therefore, would not be affected by these recommendations.

Had the recommendations been in force in 1974 for full local policing at the level specified, local costs would have increased in the remaining six municipalities. Provincial grants would have risen in four of these but the level of provincial grant paid to local municipalities in 1974 was at \$5 per capita and as a result the additional funds available from that source would have been very limited.

The level of local policing and the proportion of the total costs borne by the local taxpayer varied enormously in 1974 between municipalities. The effect of establishing a uniform level of services financed by a uniform local levy within the proposed amalgamated municipalities would vary substantially between groups of local taxpayers. Where taxpayers supported a local force providing full local policing in 1974, the effect of the recommendations on the tax burden would be very limited. In some instances

there would be a marginal increase; in others a minor decrease in the burden. In areas where local policing was provided for only part of a municipality or under a contract with the Ontario Provincial Police, the tax burden would increase more substantially. In areas policed by the O.P.P. where taxpayers made no local contribution to the costs of local policing in 1974, the additional burden resulting from the changes proposed would be the heaviest. It is, of course, true that, in the areas where the extra costs would be heaviest, the Provincial government would have to absorb the additional levies on farmland through increased payments under the Farm Property Tax Reduction Programme.

PROVINCIAL GRANTS

It is possible to estimate the changes in those provincial grants which would have been markedly different had the proposed restructuring been in effect in 1974.

UNCONDITIONAL PER CAPITA GRANT

In 1974 the grant varied according to the population of a municipality in areas which were not restructured. Restructured areas received a higher level of grants at a flat rate of \$9 per capita.

The following table compares the total unconditional per capita grant actually paid with the grant which would have been paid if restructuring had been in effect.

TABLE 54: MUNICIPAL UNCONDITIONAL GRANT

Municipality	Actual 1974 \$	Estimate under Proposed Restruct- uring \$	Difference \$
#1 - Windsor	1,493,150	1,793,250	300,100
#2 - Sandwich West	84,559	120,762	36,203
#3 - Amherstburg, Anderdon, Malden, Part of Colchester North	87,248	130,500	43,252
#4 - Harrow, Kingsville, Colchester South, Gosfield South	105,346	157,158	51,812
#5 - Leamington, Wheatley, Mersea	130,498	189,909	59,411
#6 - Belle River, Rochester, Tilbury North, Tilbury West, Part of Maidstone	87,825	131,220	43,395
#7 - Tecumseh, St. Clair Beach, Parts of Maidstone and Sandwich South	77,705	115,884	38,179
#8 - Essex, Gosfield N., Parts of Colchester North, Maidstone and Sandwich South	88,522	132,156	43,634
Total	2,154,853	2,770,839	615,986

DENSITY GRANT

This grant is paid only to local municipalities in restructured areas so that no payments were made to municipalities in Essex County in 1974. The density is determined on the basis of the number of households per acre in each local municipality. The per capita amount of the Density Grant ranges from nil at a density of .75 households per acre to a maximum of \$5 at a density of .15 or fewer households per acre. The following table shows the Density Grant which would have been paid if the proposed municipalities had been in existence in 1974.

TABLE 55: DENSITY GRANT

Municipality	Estimate under Proposed Restructuring \$
#1 - Windsor	Ø
#2 - Sandwich West	53,672
#3 - Amherstburg, Anderdon, Malden, Part of Colchester North	72,500
#4 - Harrow, Kingsville, Colchester South, Gosfield South	87,310
#5 - Leamington, Wheatley, Mersea	105,505
#6 - Belle River, Rochester, Tilbury North, Tilbury West, Part of Maidstone	72,900
#7 - Tecumseh, St. Clair Beach, Parts of Maidstone and Sandwich South	51,504
#8 - Essex, Gosfield North, Parts of Colchester N., Maidstone and Sandwich South.	73,420
Total	516,811

RESOURCES EQUALIZATION GRANT

Payments under this programme are designed to equalize the level of financial resources among municipalities across the province. The level of payments is dependent primarily on the financial capacity of a municipality as reflected by equalized assessment per capita. In 1974, no grant was made to municipalities with a total equalized assessment per capita in excess of \$10,100. The amalgamation of municipalities with different levels of equalized assessment per capita would have changed the level of grants payable in 1974 in six of the eight proposed municipalities as is indicated in Table 56.

The Resources Equalization Grant is also related to the level of local taxation. Since this would have been altered marginally by the shift in tax burdens and other provincial grants, the following figures can only be approximations.

GRANTS ON WATER AND SEWAGE WORKS

The Ministry of the Environment makes a 15% grant towards the final project cost of municipal water and sewage facilities to be owned by two or more municipalities and financed and operated by the province. Fifteen percent grants have been received for the trunk sanitary sewer in Tecumseh and St. Clair Beach and the water plants and trunk lines for the Amherstburg-Anderdon-Malden project, the Colchester South-Harrow project and the Stoney Point-Comber waterline. The City of Windsor does not receive any benefit from this programme since, even when the expansion of Windsor facilities was caused by its agreement to give service to a neighbouring municipality, the City retained sole ownership.

TABLE 56: RESOURCE EQUALIZATION GRANT

Municipality	Actual 1974 \$	Estimate under Proposed Restructuring \$	Difference \$
#1 - Windsor	667,329	667,329	Ø
#2 - Sandwich West	153,681	153,681	Ø
#3 - Amherstburg, Anderdon, Malden, Part of Colchester North	14,765	19,082	+ 4,317
#4 - Harrow, Kingsville, Colchester South, Gosfield South	80,692	114,340	+33,648
#5 - Leamington, Wheatley, Mersea	59,831	50,728	- 9,103
#6 - Belle River, Rochester, Tilbury North, Tilbury West, Part of Maidstone	67,206	82,199	+14,993
#7 - Tecumseh, St. Clair Beach, Parts of Maidstone & Sandwich South	68,710	Ø	-68,710
#8 - Essex, Gosfield North, Parts of Colchester North, Maidstone and Sandwich South	150,666	114,865	-35,801
Total	1,262,880	1,202,224	-60,656

Restructured municipalities become eligible for 15% grants on water and sewage treatment plants and trunk lines. Since many of the water and sewage projects in the County already qualify for 15% grants or other major grants, the major beneficiary in terms of increased provincial grants for water and sewage works because of restructuring would be the City of Windsor.

OTHER GRANTS

It is impossible to make any estimate of the "temporary" grants which would be paid on the implementation of restructuring. The calculation of transitional grants can take place only at the time when implementation actually occurs. Start Up and Special Assistance grants are made at the Minister's discretion to assist in meeting the cost of specific items during the restructuring period.

CHAPTER 10

THE TOWNSHIP OF PELEE

It is impossible to understand the present situation of the local government in the Township of Pelee or to discuss its future without some reference to the overall social and economic situation of the Island community. To a much greater extent than is true of other areas within the County, the Island's local government must be concerned with very basic economic and social issues touching on the survival of a permanent community. A recent planning study by J. F. MacLaren Ltd. - Pelee Island - Future Alternatives - has described the geography, history and economy of the Township in some detail and it is unnecessary to repeat that material here. However, it is necessary to say something of the present circumstances within which the Township government must operate.

Pelee Island is separated from the rest of Essex County by the waters of Lake Erie. From the spring to the autumn, the Island is linked to Leamington and Kingsville in Essex County and to Sandusky in Ohio by ferry service. However, during the winter months the only scheduled public transportation between the Island and Essex County is the mail plane which travels between the Island Airport and Windsor Airport. This physical separation is highly significant; it is a mistake to regard Pelee Island as simply a detached fragment of Essex County. Pelee Island is a separate community with a character all its own.

The Island's permanent population has been declining for

some years. It reached its peak at over 800 before the first world war; its population varied between 400 and 500 in the nineteen fifties. Since then, there has been a continuous decline so that by 1975 its permanent population had fallen to 264. During the winter months, the actual population falls even lower as some residents find the inconvenience of isolation too great and move to the mainland for extended periods. There are no precise figures for seasonal residents but one estimate puts their number at 435 in 1975. The extensive flood damage in 1972 destroyed a number of cottages and damaged the beaches; as a result, the seasonal population has fallen in recent years.

The permanent population has now declined to such an extent that there is considerable and justified concern about the viability of the existing local community. The services available on the Island, particularly in the winter, are now very limited and becoming fewer. The Island has a small two room school providing elementary education but secondary school students must board out on the mainland in order to attend school. The Island has a public health nurse but no full time doctor. This is, of course, of very considerable concern to the community because the community is an aging one. Police protection is available through a resident Ontario Provincial Police officer only during the summer months. Commercial services are extremely limited and increasingly Island residents must travel to the mainland even to buy basic items. Residents requiring professional services or wishing to use sophisticated cultural or recreational facilities must travel to the mainland. This is time consuming and expensive even during the summer months and substantially more so during the winter. A

particular cause of concern is emergency medical assistance during the winter months when poor weather can make flights difficult and and because of difficulties in obtaining authorization for emergency flights.

The farmland on the Island is highly productive where the land is properly drained. However, the main crops are soya beans and cereals; with modern machinery these are grown with very limited labour. Apart from limited employment in services, there are few employment opportunities on the Island and many of these which exist are seasonal. For a short period, quarrying provided some employment but at present the quarry is closed and its future remains uncertain. While there has been discussion of the development of a marina and residential and recreational properties on a sizable scale for several years, the proposals have not yet moved beyond the discussion stage. The dock facilities of the Island are not well developed and are a subject of concern to the Islanders. The previously mentioned planning study and the formulation of an official plan have been required by the Province as a necessary prelude to the consideration of further development.

In view of the inconvenience associated with isolation, the limited services available and the absence of employment opportunities, there is a fear in the community that the population decline will continue. If this occurs, the smaller permanent community will lose even the minimal level of services that presently exists. The capacity to maintain public services on the Island will decrease and the viability of a permanent year round community will be undermined. The authors of the planning study begin their report thus:

Most Pelee Island residents feel they are nearing the brink of an impending social and economic disaster. Declining population levels, lack of employment opportunities and disastrous flooding problems have led people to consider a basic question: can the island continue to support a permanent, economically self sufficient community?

In my discussions with the Township Council and Island residents, it was the issue of the survival of the community in its various aspects, rather than concern over the structure of local government, which dominated. The major issues raised were communication with the mainland and improvements in ferry service and docking facilities, the absence of full medical services and the difficulties of arranging emergency flights when these were necessary, the lack of employment opportunities for young people and concern over provincial policies affecting the quarry, the land holdings of the Ministry of Natural Resources and future recreational-residential development. Naturally there was also a concern over the problems of the maintenance and improvement of local public services in a situation where the permanent population is falling. Every emergency which creates a further need for public expenditures threatens the viability of the financial position of the Township government. The Township Council thus faces an unusually complex situation as the main spokesman for the Island on issues which are very basic to the whole existence of an organized community. It cannot limit itself simply to concern over public services but must become deeply involved in all matters affecting the Island.

The Township Council consists of a Reeve and four councillors elected at large. Although there is a high level of participation in municipal elections, internal dissension within the

Island community has made it difficult to organise the Council in recent times. There is also a Pelee Township library board and a recently established planning board. Because the Island is a "separated" municipality, and therefore does not form part of the County of Essex for local government purposes, the Township has a wider range of jurisdiction than is normal for a township. The Township of Pelee is included within the area of jurisdiction of the Essex County Board of Education, the Essex Region Conservation Authority, the Metro Windsor-Essex County Health Unit and the County of Essex Childrens' Aid Societies. Township residents are represented on the Essex County Board of Education by four members who together represent an electoral district including Pelee Township with four other much larger municipalities in the south eastern section of the County. All assessment on the Island is public school assessment. The Township Council appoints one member to the thirty-one member Conservation Authority. The latter has been involved in the shore protection works undertaken following the 1972 floods. The Township has no representative on the Metro Windsor-Essex County Board of Health although the Health Unit does maintain a public health nurse on the Island. The Township makes no contribution to the revenues of the Health Unit although it does provide certain facilities for the resident nurse. The Township does not appoint members to the directorate of the Essex County Childrens' Aid societies although their jurisdictions extend to the Island. There are very limited contacts between the Township and the Essex County government. In the library field, the Essex County system maintains a small collection of books on the Island and provides mail service to Township readers; it receives a token annual payment in return. Elderly Township

residents are admitted to the County Home for the Aged; the Township pays the per diem rate if the resident is unable to.

It is not my task to make recommendations on the future economic and social development of Pelee Island but simply to make proposals concerning the most appropriate structure of local government for dealing with these and related questions. The circumstances which the Township of Pelee faces in the foreseeable future are completely different from those faced by the other municipalities in the review area. The Pelee community is a small one, although it is augmented by seasonal residents, most of whom come from the United States. Its size and location mean that it is of very limited significance for the economic and social life of Essex County as a whole. This is reflected in the lack of interest shown by mainland residents in the Island's future. In these circumstances, I do not believe that the inclusion of the Township of Pelee as a lower tier municipality within the restructured County of Essex would be desirable. It seems to me to be extremely unlikely that a restructured County Council would have the knowledge and interest in the Island's concerns necessary to address its problems, particularly since the Township could have at most one representative on the County Council. The major issues facing the County's residents are of little interest to Pelee Islanders and vice versa. Any attempt to promote further development on the Island would involve substantial public expenditures. I find it impossible to believe that Essex County residents would be prepared to share the burden of meeting these through local taxation in view of the very limited benefits which might accrue to them as a result.

As a matter of administrative convenience, the Township of Pelee can obtain certain services from Essex County since it is clearly impossible for the Township to provide such services for itself. An annual contract covering such services as libraries, public health, homes for the aged and child care services should be made between the County and the Township. The contract should require the Township to pay the full local costs of any services provided. I can see no justification for any subsidization of these services by Essex County residents. If the Province feels that the allocation of full local costs would impose too great a burden on Pelee taxpayers, then it should provide additional support from general provincial revenues.

At present Pelee Island is included within the jurisdiction of the Essex County Board of Education and pays its share of local costs on the basis of local assessment. The additional costs involved in boarding secondary school students on the mainland are borne by the Province rather than shared by all taxpayers in the County. This seems to me to be an equitable arrangement. The present representation of residents of Pelee Island on the Essex County Board of Education is unsatisfactory. There is no real possibility of a Pelee Islander being chosen to serve on the Board as long as the Township is merely a tiny fragment of a mainland electoral district. In the most recent municipal elections, 1974, 151 residents of the Township cast ballots but only 10 (6.6%) voted in the election for school board members. It is quite clear that an overwhelming majority of Township residents felt that the election was meaningless for them since none of the candidates lived on the Island. However, I found the Island residents very

concerned about educational matters particularly in view of the special arrangements which had to be made concerning secondary school pupils. In my view Pelee Island should be represented on the Essex County Board of Education so that the special concerns of its residents can be expressed at Board meetings and so that Islanders can have immediate access to a board member who is capable of explaining and interpreting Board policies and decisions for them. In making this recommendation, I would not wish it to be interpreted as involving any criticism of senior officials of the Board. In my discussions on the Island and with Board officials, it was quite clear that the senior officials of the Board had made it their business to be informed about the Islanders' concerns and to respond to them. The recommendation that the Township elect a separate member to the Board would involve, in comparative terms, substantial overrepresentation of the Island on the Board without, however, having a major impact on its overall operations. Such special treatment in terms of representation is justified by the very special circumstances involved.

Despite Pelee Island's small size, it is the focus for a good deal of attention from provincial government departments each of which has special concern with only limited aspects of the life of the Islander. While Pelee Island's affairs are a very minor matter for all of these agencies of the senior levels of government, a single decision taken by any of them can have a major influence on a community which is extremely vulnerable. It is also clear that any attempt to halt or to reverse the trend in the decline of the capacity of the Island to support a permanent community will involve the Township government with a number of separate provincial

and perhaps federal departments. Even were changes to result from community initiatives or outside private interests, provincial departments would still have to be involved in granting approvals, because of the effect on local services and because the Province is itself a substantial landowner. The Pelee Island planning study expresses this view:

The influence of government is important in any option used for the development of Pelee Island. This conclusion is inescapable, even if, in practical terms, it means only the granting of quarrying permits or the maintenance of ferry services and subsidies.

I found very considerable concern among Pelee Islanders over the relationship with this wide variety of agencies. The residents are worried that those responsible for particular decisions are not fully aware of all their consequences, that the departments concerned with the Island do not coordinate these actions and that decisions may be taken elsewhere without full consultation and discussion. There is no doubt in my mind that some of these suspicions are exaggerated and that the Islanders often pay little attention to the wider context and the restraints under which provincial policy makers must work. Having accepted that, I believe that the Islanders' concern is a legitimate one. There is a need to coordinate the activities of all provincial government departments involved and to simplify the channels of communication between Islanders and these bodies. This would require the creation of a permanent intergovernmental committee, which might be transformed into an executive body should future development on the Island be on a scale which required the expenditure of large sums of public money. This committee should meet regularly to discuss any changes proposed in policy by any

government department and to recommend areas where new policy initiatives are required. I should stress that it would not be the Committee's job to tell, for example, the Ministry of Natural Resources how to manage its properties on the Island but to make that Ministry aware of how other changes might affect that or to discuss the effect that management changes or further purchases might have on the Island's economic and social life.

I recommend:

- 1) That the Township of Pelee retain the status of separated township.
- 2) That the Township Council negotiate an annual contract with the County of Essex for services and that the Township pay the full local cost of the services received.
- 3) That the Township continue to be included in the area of jurisdiction of the Essex County Board of Education. That the Township form a separate electoral district for the purpose of electing one member to the Essex County Board of Education.
- 4) That a permanent intergovernmental committee be established consisting of appointees of the Township Council and those provincial departments and agencies actively involved with the affairs of Pelee Island, including, at least, a representative of the Ministries of Treasury, Economics and Intergovernmental Affairs, Natural Resources, and Housing.

POSTSCRIPT

The publication of this report is only the first step in local government restructuring in Essex County. The analysis, discussion and criticism of the report is a matter for the people of Essex County and the provincial government. In the course of the report, I have explained the factors which have led me to make each of the recommendations and I hope this discussion will provide a starting point for the consideration of each one. Obviously the matters covered in the report are complex ones and any discussion of them is bound to be detailed and lengthy. It is my hope that the analysis and discussion of the report will involve all of the elected and appointed officials in Essex County and those members of the public with an interest in local affairs. Any decisions taken on restructuring must involve both local elected officials and the provincial government.

Since any decision to implement changes in local government structures will involve the provincial government, it would seem to me to be appropriate to invite provincial observers to be present during local discussion of the report. At many points in the report, I make recommendations which would affect the degree of supervision exercised by provincial authorities. In consequence, I think it would be reasonable for the County, City and Township to request the provincial agencies so affected to comment on these recommendations. The residents of Essex County have the right to know what actions the provincial government is prepared to take to strengthen the degree of local control over local community affairs in a restructured government at an early stage in the

discussion of restructuring.

The organization of the discussion of the report and the process of implementation is, of course, outside my terms of reference. However, there are two questions concerning the possible implementation of major local government changes which I would like to comment on. Both matters have arisen during the course of the Study.

The first question concerns the time taken to manage the change from the existing forms of government to new structures. In my view, it is essential to ensure that adequate time is allotted for the change over. Essex County is well placed to manage the transition since there is a strong County government already organized on a County-wide basis. However, I believe that a minimum period of six months should be allowed between the election of new councils and their take over of operating responsibility for services. The decisions taken during the transition stage are likely to have a major impact on the performance of the new structures. Adequate time must be allowed to plan and organize the new administrative structures in order to minimize disruption of services and retain control of costs.

The second question concerns personnel planning during the transition stage. The most effective deployment of existing personnel and the avoidance of unnecessary new expenditures requires that very careful attention be given to the assignment of personnel. This would require that a review of all existing local government personnel be carried out before any decisions were taken to fill positions. In my view, this could only be undertaken successfully by a single central establishments committee with

representation from the County and City assisted by experienced municipal officials. This body should establish close contact with the restructured local and County councils and employee organizations affected by the changes in the structure of government. It should be prepared to make recommendations to both the restructured County and local councils on all personnel matters. The provincial government has provided special grants to assist in this type of task in the past and the County should make application for financial assistance in undertaking the personnel planning function.

APPENDIX 1: STUDY TERMS OF REFERENCE

Examine, evaluate and make recommendations to the Province and the Participating Municipalities concerning all facets of the structure, organization and operation of local governments within the study area, including but not to be limited to, municipal governments, boards and commissions with specific reference being made to:

- (i) population pressures and constraints on growth,
- (ii) anticipated future development, population and economic growth patterns of the study area with particular reference to the servicing requirements of the municipalities,
- (iii) existing communities of interest,
- (iv) boundaries of the municipalities within the study area,
- (v) one or two level county government,
- (vi) amalgamations, annexations and consolidations,
- (vii) relationships amongst the municipalities in the study area,
- (viii) operations of special purpose bodies and their relationships to other local governments in the study area,
- (ix) any appropriate division of responsibilities relative to any proposed restructure,
- (x) the resource and assessment base,
- (xi) the financial arrangements of local governments in the study area,
- (xii) a planning hierarchy,
- (xiii) the organization of council with particular reference to roles and systems of policymaking and implementation,
- (xiv) the role and selection of the heads of council,

- (xv) the system of administration and the relationship of the administrative organization to the council in the development and implementation of policy,
- (xvi) the system of representation as it applies to local government in the study area,
- (xvii) responsive local government decision-making and the accountability of elected and appointed officials, and
- (xviii) any other matters which in the opinion of the Commissioner are related to the local government within the study area.

APPENDIX 2: PUBLICATIONS OF THE ESSEX COUNTY LOCAL GOVERNMENT
RESTRUCTURING STUDY

<u>Title</u>	<u>Date of Publication</u>
Study Prospectus	June 1974
Information Bulletin #1	August 1974
Research Report #1: The Social & Economic Environment	April 1975
Supplements - Living Patterns in Essex County	June 1975
- Place of Work, Place of Residence Data	August 1975
Research Report #2: Local Government Structure	May 1975
Research Report #3: Local Government Services	August 1975
Research Report #4: Local Government Finances	August 1975
Call for Briefs	August 1975
Information Bulletin #2	September 1975
Final Report	June 1976

APPENDIX 3: DEBT ON PROVINCIALLY FINANCED WATER AND SEWAGE
PROJECTS IN ESSEX COUNTY MUNICIPALITIES

Municipality	Outstanding Debt held by Province to be paid by Municipality as of		Net Debt held by Municipality as of	
	December 1974 \$'000's	December 1975 \$'000's	December 1974 \$'000's	
Essex (Sewers)	437	503	681	
Tecumseh (Sewers)	981	877	390	
St. Clair Beach (Sewers)	115	158	2	
St. Clair Beach & Tecumseh (Sewers)	1,465	1,691	St. Clair Beach Tecumseh	2 390 > 392
Amherstburg, Anderdon & Malden (Water)	3,268	3,254	Amherstburg Anderdon Malden	903 643 > 1950 404
Colchester South & Harrow (Water)	Ø	1,081	Colchester S. Harrow	157 395 > 552
Tilbury West (Water)	241	244	421	

The debt listed in columns 1 and 2 is for water and sewage projects financed by the province. The figure shown is that part which the municipality is responsible for paying in the future to the province to cover debentures coming due. It does not include the interest charges. The final column shows the amount of debentures which the municipality has itself taken out to finance other capital projects.

Listed below are the municipalities which have projects that have been built or are under consideration but which have not yet been financed.

Water Projects

1. Colchester North - Anderdon
2. Colchester South
3. Malden
4. Tilbury North
5. Tilbury West

Sewer Projects

1. Belle River
2. Gosfield North
3. Harrow - Colchester South
4. Maidstone
5. Sandwich South
6. Tilbury West

Sewer Projects Under Consideration

1. Anderdon
2. Gosfield South
3. Sandwich West
4. Tilbury North (2 projects)

APPENDIX 4: SELECTED FINANCIAL DATA ON SOME RESTRUCTURED MUNICIPALITIES

During the hearings and public meetings held in the area in the course of the Study, a considerable number of people made statements and asked questions concerning the effect of local government reform on municipal costs and local taxes. This has been a subject of political controversy in the Province in recent years.

Much of this debate has been confused and, even where it has involved municipal financial statistics, they have often been used in odd ways. In particular, it seems to me that very little can be learnt by comparing the financial records of all the restructured governments in the province. The very reason for carrying out restructuring in certain areas was that these areas faced special problems, particularly those created by population growth and dispersal, not faced to the same degree by areas not restructured. Any comparative studies aimed at showing the impact of changes in the structure of government on municipal finances should at the very least involve areas which have to deal with a common set of major issues.

I believe it is possible to summarise the main statements made by critics and proponents of reformed local government on the financial effects of changes in the structure of local government.

Critics of reform have made the following kinds of statements:

1. The introduction of regional or restructured local government results in a substantial increase in the expenditures made by municipalities.
2. The introduction of regional or restructured local government

inevitably leads to a substantial increase in the tax burden which local tax payers have to bear.

3. The introduction of regional or restructured government results in a rapid accumulation of debt as local governments' capital expenditures rise in tune with rises in current expenditures.

4. The introduction of regional or restructured governments forces the Provincial government to step in and 'bale out' local governments with massive additional subsidies.

Proponents of reform have made the following kinds of statements:

1. Changes in the form of local government institutions make little difference to the overall level of municipal expenditures or the overall level of local taxation.

2. Local governments facing similar kinds of problems, particularly in urbanizing areas, face the same kinds of demands for service; the overall increase in the level of expenditures and in the overall level of taxation in a given period is likely to be the same among similar areas whether local government institutions have been reformed or not.

3. The same generalization is true for increases in the level of municipal debt. It is the nature of the problems faced by an area and the demand for capital investment this creates, not the structure of government, which determines the level of debt.

Obviously, given my terms of reference and the limited funds at my disposal, I was in no position to conduct an exhaustive examination of this subject. However, in view of the interest shown locally, I did decide to compile some information on the

overall level of costs in certain reform areas and in Essex County for the period 1970-74 and present it here.

The following tables present data on a number of key indicators of financial performance for Essex County and the three areas in Southern Ontario outside Metro Toronto for which complete financial information is available for at least two years of experience with regional government. A Regional Government existed throughout the 1970-74 period in Niagara; it was established in York in 1971 and in Waterloo in 1972.

Each reader can make an assessment for himself or herself on how far this information bears out the statements of critics and advocates of reform set out above.

All of the data in the following tables has been derived from the provincial government's annual publication Municipal Financial Information.

TABLE 1: ASSESSED POPULATION, 1970 and 1974

	<u>1970</u>	<u>1974</u>	<u>% Change</u>
Niagara	337,642	353,325	4.6
York	157,311	189,797	20.7
Waterloo	243,542	277,284	13.9
Essex	293,729	307,624	4.7

TABLE 2: MUNICIPAL OWN EXPENDITURES (REVENUE FUND) PER CAPITA
\$s

	<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>% Change</u>
Niagara	167	196	206	234	256	53.3
York	133	196	184	199	223	67.7
Waterloo	149	165	169	213	243	63.1
Essex	159	184	202	221	235	47.8

TABLE 3: ONTARIO GRANTS TO MUNICIPALITIES AS A PERCENT OF TOTAL
REVENUE FUND EXPENDITURES

	<u>1970</u>	<u>1971</u>	<u>1972*</u>	<u>1973</u>	<u>1974</u>
Niagara	36	41	31	36	34
York	37	49	34	34	30
Waterloo	28	31	18	31	31
Essex	32	31	22	29	30

*In this year the Residential Property Tax Reduction Program
was replaced by the Ontario Tax Credits Program.

TABLE 4: EXPENDITURES ON "GENERAL GOVERNMENT" BY COUNTY/REGIONAL
AND LOCAL MUNICIPALITIES AS A PERCENTAGE OF TOTAL
REVENUE FUND EXPENDITURES 1970-74

	<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>	<u>1974*</u>
Niagara	9.2	9.0	8.9	9.3	11.8
York	10.9	8.5	10.2	10.3	13.3
Waterloo	7.3	7.4	8.2	8.3	10.6
Essex	10.4	9.9	9.3	9.3	12.3

*The basis for the classification used in Municipal Financial
Information was changed in 1974; therefore figures for that year
are not comparable with figures for earlier years.

TABLE 5: RESIDENTIAL AND FARM TAXATION PER CAPITA \$s

	<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>% Change</u>
Niagara	103	103	120	122	133	29.1
York	138	136	147	153	168	21.7
Waterloo	97	99	114	122	127	30.9
Essex	97	101	124	126	140	44.3

TABLE 6: TOTAL LOCAL TAXATION PER CAPITA \$s

	<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>% Change</u>
Niagara	195	194	209	211	229	17.4
York	187	193	202	218	239	27.8
Waterloo	182	190	205	217	228	25.3
Essex County	182	191	216	218	245	34.6

TABLE 7: CAPITAL EXPENDITURES, OWN APPLICATIONS AND TRANSFERS, PER CAPITA \$s

	<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>% Change</u>
Niagara	41	52	63	75	106	158
York	45	56	95	96	146	224
Waterloo	52	50	54	64	88	69
Essex	66	66	64	68	94	42

TABLE 8: NET DEBT PER CAPITA \$s

	<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>% Change 1970-74</u>
Niagara	163	188	191	209	204	+33
York	155	145	142	144	165	+13
Waterloo	215	206	202	201	195	- 6
Essex	137	159	217	233	227	+94

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